

# DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS FOR FISCAL YEAR 2016

U.S. SENATE,  
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,  
*Washington, DC.*

## NONDEPARTMENTAL WITNESSES

[CLERK'S NOTE.—The subcommittee was unable to hold hearings on nondepartmental witnesses. The statements and letters of those submitting written testimony are as follows:]

### PREPARED STATEMENT OF THE 1854 TREATY AUTHORITY

#### 1854 TREATY AUTHORITY

The 1854 Treaty Authority (Authority) is a tribal organization funded by a Public Law 93–638 contract with the Bureau of Indian Affairs (BIA) under its Trust-Natural Resources Management-Rights Protection Implementation (RPI) budget.

- The Authority supports the administration's proposal for an increase of \$4.5 million for BIA Rights Protection Implementation and a corresponding increased allocation for the Authority.
- The Authority supports the full finding of contract support for its Public Law 93–638, Self-Determination contract. The Authority believes that at least the amount requested by the administration should be appropriated, but it does not support the administration's proposal to institute statutory caps on contract support. Not only have those caps been proposed without the consultation required for significant policy changes, but the Authority has no source of funding to make up for contract support shortfalls.
- The Authority supports maintaining funding for the EPA Great Lakes Restoration budget at least at its current level.

The Authority is a tribal organization responsible for protecting, preserving, and regulating the treaty-reserved hunting, fishing and gathering rights in the territory ceded to the United States by the Chippewa in the treaty of September 30, 1854, 10 Stat. 1109. The Bois Forte Band and the Grand Portage Band created the Authority following Federal court affirmation of the rights in 1988. As part of a court-approved agreement with the State of Minnesota, the Bands have obligations to preserve the natural resources in the 5 million acre ceded territory and to regulate the activities of Band members through a conservation code, enforcement officers, and a court. The Authority has also been involved with a variety of inter-agency efforts to study the effect of invasive species, climate change, and activities that impact treaty resources.

Although it has significant responsibilities in a geographic area the size of Massachusetts, the Authority has only 11 full-time employees. With those limited resources, the Authority has been able to collaborate with State, tribal and Federal agencies to become a prominent presence in the conservation of resources critical to the subsistence hunting, fishing and gathering activities of the Chippewa.

However, the successes of the Authority are overshadowed by the challenges facing the trust resources that are at the heart of the treaty rights. The Minnesota moose population has declined precipitously in just a few years and for reasons unknown. Invasive species threaten the treaty fishing and wild rice production areas across the ceded territory, and human activities continue to deplete or displace wildlife populations.

The Authority urges the subcommittee and the Congress to acknowledge that the resources we seek to protect are trust resources, reserved in treaties that the United States has a legal obligation to protect and preserve.

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PREPARED STATEMENT OF THE ADVISORY COUNCIL ON HISTORIC PRESERVATION

The Advisory Council on Historic Preservation (ACHP) welcomes the opportunity to share its views with the subcommittee regarding fiscal year 2016 funding from the Historic Preservation Fund (HPF) for National Park Service (NPS) activities. The ACHP is an independent Federal agency that promotes the preservation, enhancement, and sustainable use of our Nation's historic resources. Created by the National Historic Preservation Act in 1966, the ACHP is charged with advising the President and Congress on national historic preservation policy. The ACHP membership, the majority of which is appointed by the President, is made up of Federal agencies, preservation experts, concerned citizens, a mayor, a governor, and major preservation non-profit organizations.

Traditionally, the HPF is the source of NPS grants-in-aid to State Historic Preservation Offices (SHPOs) and Tribal Historic Preservation Offices (THPOs), which perform critical functions in administering the Federal preservation program established by the National Historic Preservation Act (NHPA). The fiscal year 2016 budget proposal would continue this funding while also appropriating monies from the HPF for NPS grants to support the preservation of sites associated with the African American Civil Rights Movement and the identification of historic properties associated with communities currently underrepresented in the National Register of Historic Places. The ACHP supports the fiscal year 2016 budget proposal for the HPF as a minimum funding level and applauds the addition of funding for the Civil Rights initiative, but asks that the subcommittee also consider increasing funding to SHPOs and THPOs given chronic underfunding of their activities.

*SHPO/THPO Funding.*—In 1976, Congress established the HPF to support the delivery of programs mandated by the NHPA. Annually, the HPF funds a variety of activities carried out by SHPOs and THPOs, forming the backbone of preservation activity in the Nation. These include conducting surveys of historic properties; preparing nominations to the National Register of Historic Places; reviewing the impact of Federal projects on historic properties; assisting in Federal Historic Tax Credit project reviews; implementing disaster recovery grants; and conducting preservation education and planning.

In 1980, Congress authorized up to \$150 million in annual Outer Continental Shelf revenue from oil and gas leases to be deposited into the HPF. However, annual appropriations have never approached this figure and, in recent years, have been less than \$60 million. This level of funding has seriously impacted the overall capacity of both SHPOs and THPOs to efficiently fulfill their obligations in the Federal preservation program. This has constrained their effectiveness when participating in Federal agency planning processes and when providing expert advice on historic properties affected by Federal actions.

Although funding levels for SHPOs have increased slowly since 1981, they have never approached full funding nor have they kept pace with inflation. Since 2010, funding essentially has been flat lined; the \$46.925 million proposed in the fiscal year 2016 budget is level with last year's appropriation. When inflation is factored in, the current buying power of HPF funding for SHPOs is virtually the same as it was in 1987. Meanwhile, the demands placed on SHPOs have continued to increase as State budgets have declined.

While SHPOs have been challenged by recent HPF funding levels, the picture has been even bleaker for THPOs. The average allocation of funds to individual THPOs has decreased so significantly over recent years that some programs have had to close for several months at the end of each year because of lack of funds. As the number of Indian tribes operating approved THPO programs increases, the amount of HPF funds appropriated for THPOs has not kept pace. In fiscal year 1996, 12 tribes received an average of \$80,000. In 2014, there were 151 THPOs certified by NPS to receive funds. The resulting average allocation of about \$58,000 translated to a decrease of approximately \$22,000 per THPO compared to 1996 even before adjusting for inflation. While the ACHP fully supports the proposed increase of \$1 million for THPOs in the fiscal year 2016 budget, we believe that this increase is only a partial step toward meeting the need.

The ACHP supports the proposed fiscal year 2016 funding level for SHPOs and THPOs as preferable to a lower figure. However, we urge the subcommittee to give serious consideration to increasing such funding. The ACHP strongly supports full and permanent funding for the HPF at its authorized level of \$150 million for fiscal

year 2016 and beyond. Adequate funding is critically important to ensure the effective participation of SHPOs and THPOs in consultation with Federal agencies on projects involving national priorities such as energy development and infrastructure permitting, disaster planning and resilience, climate change adaptation, military readiness and national security needs, and public lands management. SHPOs and THPOs also need predictable funding to continue to identify properties worthy of preservation and manage such information with modern digital technology. October 15, 2016, marks the 50th anniversary of the NHPA. Full and permanent funding for the HPF in the fiscal year 2016 budget would be a fitting recognition of this milestone and signify the Federal Government's continued commitment to assisting States and Indian tribes in preserving the rich heritage of our Nation for future generations.

*Civil Rights Initiative.*—To mark the 50th anniversary of the Voting Rights Act, the fiscal year 2016 NPS budget proposes \$50 million to restore and highlight key sites across the country that tell the story of the struggle for civil rights. Of that amount, \$32.5 million would come from the Historic Preservation Fund, including \$30.0 million in competitive grants to document, interpret, and preserve the stories and sites associated with the Civil Rights Movement and the African-American experience, and \$2.5 million for grants to Historically Black Colleges and Universities.

The struggle to end legal racial discrimination and segregation had a profound influence on the course of American history and continues to shape our society today. The physical places associated with the people and events of the civil rights movement help us both to understand and to celebrate what took place 50 years ago. There are sites throughout the country associated with the African American civil rights struggle of the 1950s and 1960s, some of which are being preserved and interpreted, and some of which are threatened either directly by development or through deterioration. The proposed competitive grants from the HPF to help preserve such properties are much needed, and the ACHP fully supports this proposed funding.

Historic structures on the campuses of historically black colleges and universities (HBCUs) also face threats, including lack of resources for repairs. Since the mid-1990s, Congress periodically has funded preservation grants for HBCUs, but the last funding was in 2009 with an infusion of funds from the American Recovery and Reinvestment Act. The proposed fiscal year 2016 HBCU grant funding would build upon the past benefits of this grant program and would be an important component of the overall NPS Civil Rights Initiative. The ACHP supports this proposed HPF funding.

*Grants for Underrepresented Communities.*—The fiscal year 2016 NPS budget would continue an existing grant program that addresses the issue of underrepresentation of certain communities and groups in the range of properties included in the National Register of Historic Places. The goal of the program is to make strides toward ensuring that the makeup of the National Register fully reflects the diversity of the American story. In fiscal year 2014, funded projects included inventories of African American heritage sites in Montana, Pueblo Nations in New Mexico, LGBT sites in New York City, Latino properties in Washington's Yakima Valley, and Asian American sites in Utah. fiscal year 2014 grants also are supporting the preparation of National Register nominations for LGBT sites in Kentucky, African American Civil Rights resources in Baltimore, and sites associated with Chinese immigrants and Chinese Americans in Boston.

The changing demographics of America pose opportunities as well as challenges for the national historic preservation program. The diversity of cultures in the United States shapes and enriches the American experience, and the Federal Government can encourage wider involvement and representation in determining what historic sites are worthy of recognition and preservation; how history and cultural heritage should be valued, interpreted, and preserved; and how the American public as a whole can take advantage of the programs and tools created under the NHPA. The HPF-funded underrepresented community grant program is an important tool in building a more inclusive preservation program, and the ACHP fully supports its continued funding in fiscal year 2016.

Thank you for this opportunity to advise the subcommittee on fiscal year 2016 appropriations for the National Park Service from the Historic Preservation Fund. If the ACHP can provide any additional information, please contact our Executive Director, John M. Fowler, at [jfowler@achp.gov](mailto:jfowler@achp.gov).

## PREPARED STATEMENT OF THE ALEUTIAN PRIBILOF ISLANDS ASSOCIATION, INC.

The requests of the Aleutian Pribilof Islands Association (APIA) for the fiscal year 2016 Indian Health Service (IHS) budget are as follows:

- Require IHS to provide an additional \$1.1 million in recurring funds to our Compact which has been reduced by \$4.9 million due to St. Paul's transfer.
- Amend the Aleutian and Pribilof Islands Restitution Act to appropriate \$100.4 million for reconstruction of the Unalaska Hospital and the Atka Island clinic, both of which were destroyed during World War II.
- Provide or require the IHS to allocate an additional \$15 million to fully fund Village Built Clinic Leases and make it a line item in the budget.
- Place Contract Support Costs on a mandatory funded basis.
- Place IHS funding on an advance appropriations basis.

The Aleutian Pribilof Islands Association (APIA) is a regional non-profit tribal organization with members consisting of the 13 federally recognized tribes of the Aleutian Chain and Pribilof Islands region. APIA provides healthcare services to the Alaska Natives in four of the tribal communities of this region through funding received from IHS under Title V of the Indian Self-Determination and Education Assistance Act (ISDEAA). We also provide health-related services through various non-IHS grants and agreements.

*Our Regional Health Delivery System Imperiled.*—The Alaska Tribal Health System depends on strong regional care organizations coordinating limited resources to produce economies of scale enabling them to provide quality healthcare services to Alaska Natives in their regions. For a region like the Aleutian Pribilof Islands, achieving economy of scale is a fragile undertaking. Last May the Aleut Community of St. Paul Island, the largest community in our region, notified us that they intended to withdraw from our Self-Governance agreement and transfer the responsibility of their healthcare services and associated funding from APIA to the Southcentral Foundation's Self-Governance agreement. This action became effective January 1, 2015, and it has resulted in the loss of 46 percent (\$4.9 million) of our health budget. This will cause catastrophic disruption and reduction of services for the remaining communities in the APIA regional health system. It has greatly diminished economy of scale in providing the collaborative health arrangements throughout our area that we have worked so hard to establish. These collaborative arrangements also include funding outside of IHS such as Health Resources and Services Administration and Substance Abuse and Mental Health Services Administration grants which now must be untangled because of St. Paul's departure.

As you know, there has been in effect since 1998 a statutory provision which is designed to promote efficient use of IHS funds by maintaining a regionalized system of healthcare delivery in Alaska by prohibiting disbursement of funds to tribes that withdraw from regional health entities. St. Paul may have the right to switch from one Self-Governance agreement to another but it certainly is a blow to the carefully constructed regional health delivery system in Alaska.

IHS Self-Governance has an underlying principle to do no harm to other tribes. The program from its beginning in 1992 as a demonstration project is replete with congressional report language and IHS Budget Justification statements of support for the program and simultaneously noting that Self-Governance agreements are to do no harm to other tribes. The huge loss of funds as the result of St. Paul transferring its healthcare service is doing severe harm to the remaining members of the communities serviced by our Self-Governance agreement.

Hence, we are asking Congress to direct the IHS to provide an additional \$1.1 million to APIA and that such funds be recurring to help us take the necessary steps and at least partially mitigate the loss of economy caused by the transfer of St. Paul.

*Funding For Reconstruction of Two Health Care Facilities Destroyed During WWII.*—During World War II, communities within the APIA region suffered historic losses, not only to their populations due to deaths arising from inadequate healthcare and poor living conditions during removal by the U.S. Government to camps in Southeast Alaska, but also to two healthcare facilities that were destroyed and never rebuilt or accounted for in prior restitution made to the Aleutian and Pribilof tribal communities.

On June 4, 1942, the Japanese bombed the 24-bed hospital operated at that time by the Bureau of Indian Affairs in Unalaska, Alaska. Since that time, the closest hospital is located in Anchorage, Alaska—800 air miles away, and not accessible by roads. Ten days later and 350 miles to the east, on June 14, 1942, the residents of Atka Island were forcibly evacuated from the Island by the U.S. for their "safety," and the U.S. Navy burned all of the structures on the Island to the ground, including the Island's health clinic, to prevent their use by the Japanese.

Congress passed the “Aleutian and Pribilof Islands Restitution Act” in 1988 (Public Law 100–383), which led to creation of the Aleutian and Pribilof Islands Restitution Trust to administer funds appropriated under the Restitution Act on behalf of the St. Paul, St. George, Unalaska, Atka, Akutan, Nikolski, Biorka, Kashega and Makushin communities. The Restitution Act provided very limited appropriations to partially address losses suffered by these communities during evacuations from 1942 to 1945. During that time, the treatment of the Aleut people in the evacuation camps lacked even the most basic attention to health and human safety matters, in extremely crowded, unheated, abandoned buildings with very poor sanitation conditions. Ten percent of the Aleuts who were evacuated died in the camps. For those who returned to their communities, many found their homes and community facilities destroyed, possessions taken, and churches stripped of religious icons by the U.S. military.

The time is now to replace the Unalaska hospital and the Atka Island Clinic. The Aleutian and Pribilof tribal communities are the most remote within Alaska. The next level of referred specialty and inpatient care is 800 air miles away in Anchorage. To say that our patients suffer from a lack of access to basic healthcare services is an understatement. Patients have died en route to Anchorage for emergency care; patients have died due to inability to receive timely screening of cancer; patients often must leave their families for months at a time when receiving care; and mothers must leave their families for 4 months to deliver their babies. This is unacceptable care, by any standard. The replacement hospital facility would directly serve the 5,000 year-round residents of Atka, Dutch Harbor, Nikolski and Unalaska, in addition to the typically hundreds of seasonal fishery workers requiring immediate emergency or primary care. Having a hospital would eliminate the need to send referrals to Anchorage at an average airfare cost of \$1,400, not to mention the cost of lodging, meals and the personal hardship of having to leave the community for days at a time. Atka lies 350 miles away from Unalaska, so until its clinic has sufficient capacity to meet local need, that population is at severe risk due to its isolated, weather-challenged, location.

Based upon APIA budget estimates derived from the IHS Facility Budget Estimating System, the Unalaska hospital facility project cost for design, construction and equipping the total facility is \$96,900,000. Based upon a 2003 Health Clinic Design Report funded by the Denali Commission, construction of a health clinic sufficient to meet the needs in Atka, and adjusting from 2003 for current inflation, will cost \$3,500,000. APIA thus requests \$100.4 million in funding for reconstruction of these facilities.

APIA is ranked near the top in the IHS's joint venture program, however we are unable to move forward without identified construction resources. For facilities subject to the IHS joint venture program, construction must be accomplished with non-IHS money. The Restitution Act offers the best legislative framework for an appropriation from Congress. We recommend that the Restitution Act be amended to add a new Section 1989C–4(b)(1)(D) to 50 U.S.C., to state as follows: “(D) One account for the construction, operation, and maintenance of an inpatient hospital facility in Unalaska and health clinic in Atka with a direct appropriation of \$100,400,000 for those purposes.” We ask for the Committees’ support of such an amendment and the related appropriation of funds.

If we are to successfully receive this non-IHS construction project funding, the joint venture program would allow APIA to enter into a no-cost lease with the IHS for a period of 20 years; the IHS would in turn provide staff, equipment and supplies for the operations and maintenance of the facilities. The joint venture program is competitive and funding is limited. This year the IHS announced the results of its 2014 Joint Venture solicitation—of 37 pre-applications, 13 were selected to submit final applications and six of those will be chosen to move forward. Yet, the IHS has indicated it does not have adequate resources to fund even those programs, with the next Joint Venture solicitation taking place in 3–5 years. Tribes in Alaska support the IHS joint venture program as one of the best solutions to immediately address critical healthcare needs in our communities.

*Funding for Village Built Clinics in Alaska.*—For the last several years, APIA has submitted testimony on the need to address chronic underfunding of Village Built Clinics (VBCs) in Alaska. VBCs, which are clinic facilities leased by the IHS from other entities, are a vital component of the provision of basic healthcare services in rural Alaska, as they serve as the clinic space for the Community Health Aide Program (CHAP) under the Indian Health Care Improvement Act. The CHAP utilizes a network of community health aides and practitioners to provide primary healthcare services in otherwise unserved rural and isolated areas.

In 1989, Congress specifically authorized the operation of 170 VBCs in Alaska and provided approximately \$3 million in funding. Since then, Congress has not pro-

vided amounts specifically for VBCs in the IHS appropriation, and IHS has had discretion to fund VBCs from its lump sum appropriation. IHS has needlessly treated the \$3 million level as a cap, and has refused to increase funding for VBC leases. Funding therefore has not kept pace the rising costs of healthcare in rural and isolated areas. In fact, the chronic underfunding over decades has resulted in deterioration and in some cases closure of VBC facilities, threatening the Community Health Aid Program that hinges on the continued availability of properly maintained VBC space. Our facilities in Atka and Nikolski have been cited for numerous patient HIPPA and safety issues including no patient privacy and holes in the floor. In any other community, these clinics would be condemned; yet the IHS expects us to continue to provide care with no remedy at hand. It is no wonder that we have a difficult time recruiting and retaining providers to serve our communities. Unfortunately, we are not alone in our predicament.

A recent estimate is that \$15 million additional dollars are needed to fully fund the VBC program. We urge you to provide or to direct the IHS to add \$15 million to the current amount (about \$4 million) provided for the VBCs and that this be made a line item in the budget.

*Mandatory Contract Support Costs/IHS Advance Appropriations.*—We join with many others in Indian Country in supporting the administration’s proposal to place Contract Support Costs (CSC) on a mandatory basis, although we and other tribes/tribal organizations urge that it be implemented beginning in fiscal year 2016. It is heartening to see that the hard work of tribes on this issue has brought them around on the matter of the Federal Government honoring its contracts. We thank this subcommittee for its support for full funding for CSC and urge that you take it to its logical conclusion which is that the funding be converted to a mandatory basis.

We also support placing the IHS budget on an advance appropriations basis, as Congress has done with the Veterans Administration health accounts. The fiscal year 2016 budget justification for the VA said advance appropriation is necessary to “fulfill the administration’s commitment to provide reliable and timely resources to support the delivery of accessible and high-quality medical services for veterans. This funding enables timely and predictable funding for VA’s medical care to prevent our Nation’s veterans from being adversely affected by budget delays, and provides opportunities to more effectively use resources in a constrained fiscal environment.” The same can be said about healthcare for Indians and Alaska Natives.

We appreciate your consideration of our request outlined in this testimony. On behalf of APIA and the people we serve, I am happy to provide any other additional information desired by the committees.

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#### PREPARED STATEMENT OF THE AMERICAN ALLIANCE OF MUSEUMS

Chairman Murkowski, Ranking Member Udall, and members of the subcommittee, thank you for inviting me to submit this testimony. My name is Ford Bell and I serve as President of the American Alliance of Museums (AAM). We urge your support for at least \$155 million each in fiscal year 2016 for the National Endowment for the Arts (NEA) and the National Endowment for the Humanities (NEH), as well as \$935.8 million for the Smithsonian Institution. We also request your support for the Historic Preservation Fund (HPF), including at least \$50 million for State Historic Preservation Offices, \$15 million for Tribal Historic Preservation Offices, \$32.5 million to preserve the sites and stories of the Civil Rights Movement, and restored funding for the Save America’s Treasures and Preserve America programs.

Before detailing these funding priorities for the museum field, I want to express my deepest appreciation for the difficult position in which the subcommittee finds itself, given inadequate 302(b) allocations in recent years. Like many museums, the subcommittee will need to make many difficult decisions, each of which comes with a unique set of consequences. In this context, however, we would posit that each of our priorities outlined below is a vital investment that will both protect our Nation’s cultural treasures and provide a tremendous benefit to the overall economy.

AAM is proud to represent the full range of our Nation’s museums—including aquariums, art museums, botanic gardens, children’s museums, culturally specific museums, historic sites, history museums, maritime museums, military museums, natural history museums, planetariums, presidential libraries, science and technology centers, and zoos, among others—along with the professional staff and volunteers who work for and with museums. AAM is proud to work on behalf of the Nation’s museums, which employ 400,000 people, invest more than \$2 billion annually on educational programs, receive more than 55 million visits each year from pri-

mary and secondary school students, and directly contribute \$21 billion to their local economies.

Museums are essential in our communities for many reasons:

- Museums are key education providers.*—Museums already offer educational programs in math, science, art, literacy, language arts, history, civics and government, economics and financial literacy, geography, and social studies, in coordination with State and local curriculum standards. Museums also provide experiential learning opportunities, STEM education, youth training, job preparedness, and a range of programs geared toward homeschooling families. They reach beyond the scope of instructional programming for schoolchildren by also providing critical teacher training. There is a growing consensus that whatever the new educational era looks like, it will focus on the development of a core set of skills: critical thinking, the ability to synthesize information, creativity, and collaboration. We believe museums are uniquely situated to help learners develop these core skills, and this is borne out by evidence. According to a recent University of Arkansas study, students who attended just a half-day field trip to an art museum experienced an increase in critical thinking skills, historical empathy and tolerance. For students from rural or high-poverty regions, the increase was even more significant.
- Museums create jobs and support local economies.*—Museums serve as economic engines, bolster local infrastructure, and spur tourism. Both the U.S. Conference of Mayors and the National Governors Association agree that cultural assets such as museums are essential to attracting businesses, a skilled workforce, and local and international tourism.
- Museums address community challenges.*—Many museums offer programs tailored to seniors, veterans, children with special needs, persons with disabilities, and more, greatly expanding their reach and impact. For example, some have programs designed specifically for children on the autism spectrum while others are addressing veterans' post-war trauma or providing youth job training opportunities.
- Digitization and traveling exhibitions bring museum collections to underserved populations.*—Teachers, students, and researchers benefit when cultural institutions are able to increase access to trustworthy information through online collections and traveling exhibits. Most museums, however, need more help in digitizing collections.

The National Endowment for the Humanities is an independent Federal agency created by Congress in 1965. Grants are awarded to nonprofit educational institutions—including museums, colleges, universities, archives, and libraries—for educational programming and the care of collections. NEH supports museums as institutions of learning and exploration, and as keepers of our cultural, historical, and scientific heritages.

In 2014, through Preservation & Access, one of NEH's national program divisions, 67 peer-reviewed, competitive grants totaling over \$4.8 million dollars were awarded to museums, historical societies and historic sites for a variety of projects to preserve and provide access to our Nation's rich cultural heritage. Across all NEH divisions (including Preservation and Access, Research, Education, Public Programs, Challenge Grants and Digital Humanities), these institutions received 128 awards totaling over \$13.5 million. Demand for humanities project support, as demonstrated by NEH grant application rates, far exceeds available funding. In fiscal year 2014, NEH received 4,281 competitive grant applications representing more than \$431 million in requested funds, but was only able to fund 15.2 percent of these peer-reviewed project proposals.

NEH also provides annual grants to State humanities councils located in every State and U.S. territory. In 2014, 55 State councils supported 2,402 events in museums, reaching a total audience of more than 5.8 million people.

Here are just two examples of how NEH funding supports museums' work in your communities:

- In 2013, the Mississippi Department of Archives and History received \$274,390 to select, digitize, and make available 100,000 pages of Mississippi newspapers published between 1836 and 1922. These primary sources offer vital insight into State and national heritage.
- Historic London Town in Edgewater, Maryland received \$177,814 in 2013 to support two 1-week workshops for 80 school teachers on the development of slavery in the Chesapeake Bay region, with lessons from local museums on teaching this difficult issue.

The National Endowment for the Arts makes art accessible to all and provides leadership in arts education. Established in 1965, NEA supports great art in every congressional district. Its grants to museums help them exhibit, preserve, and inter-

pret visual material through exhibitions, residencies, publications, commissions, public art works, conservation, documentation, services to the field, and public programs.

In 2014, more than 2,200 museums participated as Blue Star Museums—a partnership between NEA, Blue Star Families, and the Department of Defense—to offer free admission to all active duty and reserve personnel and their families from Memorial Day through Labor Day. This particular effort served over 700,000 people, while many other museums offer military discounts or free admission throughout the year.

In 2014, NEA made more than 140 direct awards to museums, totaling over \$5.4 million. Forty percent of NEA's grant funds are distributed to State arts agencies for re-granting, and many museums participate at this level as well.

Receiving a grant from the NEA confers prestige on supported projects, strengthening museums' ability to attract matching funds from other public and private funders. On average, each dollar awarded by the NEA leverages \$9 dollars from other sources.

Here are two examples of how NEA funding is used to support museums' work in your communities:

- Alaska's Chilkat Indian Village received a \$50,000 grant to work with museum professionals to create an exhibit that will convey the ancestral, cultural, and artistic history of the Chilkat people. The exhibition will help foster community identity, serving the village, the neighboring community of Haines, and national and international visitors.
- The International Folk Art Foundation in Santa Fe, New Mexico received \$50,000 to support its Imagining Home Project. Traditional artists from local immigrant communities and abroad display work in the museum's Gallery of Conscience on the themes of leaving home, and the challenges and opportunities presented by life in a new country.

In addition to these direct grants, NEA's Arts and Artifacts Indemnity program also allows museums to apply for Federal indemnity on major exhibitions, saving them roughly \$30 million in insurance costs every year and making many more exhibitions available to the public—all at virtually no cost to the taxpayer. We were glad last year to work with the Association of Art Museum Directors and with the subcommittee to increase the indemnity limits as part of Public Law 113-235, and we remain extremely grateful for the subcommittee's work on this matter.

The Smithsonian Institution comprises some of the most visited museums in the world, including the National Museum of American History, the National Air and Space Museum, and the National Museum of Natural History. The Smithsonian reaches visitors and learners of all ages, in the Nation's capital and across the country, with innovative exhibits and programs. Its 20 museums—including the National Zoo—attract 30 million visits every year, and their content and curricula are used by teachers all over the country.

The President's fiscal year 2016 budget request of \$935.8 million includes critical funding for the National Museum of African American History and Culture, which will tell an essential part of American history. Additional funding for collections care, ground-breaking research, facilities maintenance, and technology upgrades will allow the Smithsonian to care for the Nation's treasures and increase access for all. We enthusiastically support this robust funding proposal for the Smithsonian Institution. However, we have serious concerns about the President's proposed STEM consolidation plan, which would eliminate or cut important programs that support museums at the National Institutes of Health, the National Oceanic and Atmospheric Administration, and the National Aeronautics and Space Administration.

The Historic Preservation Fund (HPF) is the funding source of preservation awards to States, tribes, local governments, and nonprofits. State and Tribal Historic Preservation Offices (SHPOs and THPOs) carry out the historic preservation work of the Federal Government on State and tribal lands. These duties include making nominations to the National Register of Historic Places, reviewing impacts of Federal projects, providing assistance to developers seeking a rehabilitation tax credit, working with local preservation commissions, and conducting preservation education and planning. This Federal-State-local foundation of America's historic preservation program was established by the National Historic Preservation Act. We urge you to provide \$50 million for SHPOs and \$15 million for THPOs through the Historic Preservation Fund. We also urge you to restore funding of \$25 million for Save America's Treasures and \$4.6 million for Preserve America, which have not been funded in recent years.

Also in the context of the Historic Preservation Fund, we support the proposed Civil Rights Initiative, including \$30 million for competitive historic preservation grants to preserve the stories and sites associated with the Civil Rights Movement



as well as \$2.5 million to help Historically Black Colleges and Universities conduct similar documentation and interpretation.

The 2005 Heritage Health Index of archives, libraries, historical societies, and museums concluded that action is needed to prevent the loss of 190 million artifacts that require conservation treatment: 59 percent have collections damaged by light; 56 percent have insufficient security to protect their collections; 80 percent do not have an emergency plan that includes collections; 71 percent need additional training and expertise for staff caring for collections; and only 13 percent have access to endowment funds for preservation.

Historic preservation programs matter now more than ever—not only because they are essential to protecting our national heritage, but because they serve as economic development engines and job creators. Funds invested in building rehabilitation have been shown to create more jobs and retail activity than those spent on new construction.

I want to once more acknowledge the difficult choices that the subcommittee faces. I hope that my testimony has made it clear why these priorities are of critical importance to the Nation and will provide a worthwhile return on investment to the American taxpayer. Thank you again for the opportunity to submit this testimony.

#### PREPARED STATEMENT OF THE AMERICAN ASSOCIATION OF PETROLEUM GEOLOGISTS

To the Chair and members of the subcommittee:

Thank you for this opportunity to provide testimony on behalf of the American Association of Petroleum Geologists (AAPG) about the importance of the geological programs conducted by the U.S. Geological Survey (USGS).

AAPG is the world's largest scientific and professional geological association. The purpose of the association is to advance the science of geology, foster scientific research, and promote technology. AAPG has over 40,000 members around the world, with roughly two-thirds living and working in the United States. These are the professional geoscientists in industry, government, and academia who practice, regulate, and teach the science and process of finding and producing energy resources from the Earth.

AAPG strives to increase public awareness of the crucial role that the geosciences, and particularly petroleum geology, play in our society. The USGS is crucial to meeting these societal needs, and several of its programs deserve special attention by the subcommittee.

#### UNCONVENTIONAL OIL AND GAS RESEARCH

##### *Multiple Programs*

As part of the effort to improve America's energy security, protect the environment, save consumers money, and maintain United States leadership in emerging energy technologies, the USGS, the U.S. Department of Energy (DOE), and the Environmental Protection Agency (EPA) have created an interagency program that aims to understand the potential environmental, health, and safety impacts of hydraulically fractured oil and gas resources.

AAPG would like to emphasize that while hydraulic fracturing technology continues to evolve, it is not a new technology and we have substantial knowledge about its impacts as well as evidence of its long-term safety. This should form the basis for any new research.

*—AAPG supports the USGS budget increase in the fiscal year 2016 President's request that will support this research effort including: resource assessments and characterization; water quality; and water availability—areas of USGS scientific leadership. AAPG does not support proposed funding for Contaminants Biology. Collection of human health data is the responsibility of the EPA, as outlined in the Interagency Unconventional oil and gas strategy.*

#### GEOLOGIC RESOURCE ASSESSMENTS

##### *Energy Resources Program*

The USGS Energy Resources Program (ERP) conducts both basic and applied geoscience research focused on geologic energy resources (both domestic and international), including oil, natural gas, coal, coalbed methane, gas hydrates, geothermal, oil shale, and bitumen and heavy oil.

*—AAPG supports the President's fiscal year 2016 request for the Energy Resources Program.*

An urgent problem addressed through the ERP is the preservation of geological and geophysical data, engineering data, maps, well logs, and samples. This effort has never been funded at the authorized level, \$30 million/year. This financial neglect is compounded by the difficult financial situations facing State geological surveys that are responsible for preserving most of the country's subsurface data.

Responsible management and efficient development of natural resources requires access to the best available scientific information. Over many years industry, such as petroleum and mining companies, has invested billions of dollars to acquire geological and geophysical data. Because of changing company focus and economic conditions this data may no longer have value to the company that acquired it, and is in jeopardy of being discarded.

But this data still has value to society. The data is valuable for further natural resources exploration and development, and can be applied to basic and applied earth systems research, environmental remediation, and natural-hazard mitigation. It is the type of data that will enable future generations of scientists and policy makers to address the Nation's energy, environmental, and natural hazard challenges of the 21st century.

For example, this data has been essential to the development of oil and gas from shales. Geoscientists require previously acquired subsurface cores and samples to identify prospective natural gas deposits that were bypassed before new technology made shale resources economically producible.

The NGGDPP was authorized at \$30 million annually in EPACT 2005. Historical allocations for this program have ranged from \$750,000 to \$1,332,345 per year. These funding levels are inadequate to achieve the program's objectives. Furthermore, with the precipitous decline in oil prices some companies may go out of business or cease operations in a particular region. This could lead to additional obligations on public, primarily State, repositories.

*—AAPG supports the reauthorization of the Preservation of the Geological and Geophysical Data Program and recommends that the subcommittee appropriate an additional \$5 million in fiscal year 2016 for the preservation of geological and geophysical data.*

#### *Mineral Resources Program*

The United States is the world's largest consumer of mineral commodities. They form the building blocks of our economy.

It is therefore essential to the Nation's economic and national security that the Federal Government understands both the domestic and international supply and demand for minerals and mineral materials. This data is used throughout government (Departments of Commerce, Interior, Defense, and State; the Central Intelligence Agency; the Federal Reserve) and the private sector.

The USGS Mineral Resources Program (MRP) is the only Federal and publicly-available source for comprehensive information and analysis of mineral commodities and mineral materials.

*—AAPG supports the President's fiscal year 2016 request for the Mineral Resources Program.*

#### *National Cooperative Geologic Mapping Program*

AAPG supports the National Cooperative Geologic Mapping Program (NCGMP). This unique partnership between the Federal and State governments and the university community demonstrates the importance of geoscience to society. The geologic maps produced by this program are used for natural resource management, natural hazard mitigation, water resource management, environmental conservation and remediation, and land-use planning.

NCGMP deserves special commendation for its EDMAP initiative. This university partnership enables students, working in a close mentoring relationship with faculty, to produce maps while learning essential mapping skills. As such, the program delivers an immediate return on the Federal investment in terms of beneficial maps, as well as a future return in the form of a trained and competent next generation workforce.

*—AAPG supports the President's funding request of \$25.3 million for the National Cooperative Geologic Mapping Program, including increases for Coastal Resilience and Landscapes and Sinkhole Hazards.*

Thank you for the opportunity to present this testimony to the subcommittee. AAPG also appreciates your leadership and support for the geosciences. As you deliberate appropriate funding levels for these USGS programs, please consider the important public policy implications these choices entail.

If you have any questions about AAPG or this testimony, please contact Edith Allison, the director of our policy office in Alexandria at e-mail [eallison@aapg.org](mailto:eallison@aapg.org).

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PREPARED STATEMENT OF THE AMERICAN BIRD CONSERVANCY

APRIL 8, 2015.

Hon. LISA MURKOWSKI  
*Chairwoman*  
*Interior Appropriations Subcommittee*  
*United States Senate*  
*131 Dirksen Senate*  
*Washington, DC 20510*

Hon. TOM UDALL  
*Ranking Member*  
*Interior Appropriations Subcommittee*  
*United States Senate*  
*125 Hart*  
*Washington, DC 20510*

Dear Chairwoman Murkowski and Ranking Member Udall:

American Bird Conservancy (ABC) is a 501(c)(3) national non-profit organization dedicated to the conservation of wild native birds and their habitats throughout the Americas. Founded in 1994, ABC is the only U.S. based group dedicated solely to overcoming the greatest threats facing native birds in the Western Hemisphere. ABC supports the highest level of funding possible for the Neotropical Migratory Bird Conservation Act Grants and Migratory Bird Joint Ventures for fiscal year 2016.

Each spring, more than 4 billion birds make their spectacular migration from their winter habitats in Mexico, Central and South America, and the Caribbean to their breeding grounds throughout North America. Many species of birds that we see in our back yards are affected by habitat conditions in their wintering grounds located outside of the U.S. Birds like the Wilson's warbler and the Mountain plover are currently in decline and may become endangered or threatened resulting in the need for even more resources to be allocated making it more important than ever now to support funding for the Neotropical Migratory Bird Conservation Act.

Since 2002, the Neotropical Migratory Bird Conservation Act (NMBCA) has functioned as a matching grant program to fund projects that conserve neotropical migratory birds—those that breed in or migrate through the United States and Canada and spend the non-breeding season in Latin America and the Caribbean. Migratory birds make a significant contribution to the U.S. economy. Recreation associated with migratory birds is big business in this country. The *2011 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation*, conducted by the U.S. Fish and Wildlife Service reports that nearly 47 million Americans enjoy watching and feeding birds, spending \$107 billion on birdwatching equipment and travel within the United States that year alone creating 660,000 jobs and \$13 billion annually in local, State, and Federal tax revenue.

NMBCA has a proven track record of success over more than a decade. Since its inception, the program has received more than \$50.1 million to positively affect 3.7 million acres and partners have leveraged Federal funds with more than \$190.6 million in non-Federal contributions—a more than 4-to-1 match ratio.

As an organization that works with migratory birds, which by definition cross international borders during their migration patterns, we know that protection and restoration of habitat must occur across the continent if the goal is to protect the species. As a result, ABC respectfully requests that NMBCA be funded at the highest level possible. In fiscal year 2015 the program was funded at approximately \$3.66 million and the President's budget fiscal year 2016 request is \$4.16M.

Migratory Bird Joint Ventures (JVs) also exemplify a highly successful, cost-effective approach to conservation. By applying science and bringing diverse constituents together, JVs across the United States have created a model for solving wildlife management problems and restoring habitats critical to conserving declining species. Nationally, JVs have protected, restored, or enhanced more than 24 million acres of important habitat for migratory bird species. There are currently 21 JVs in the United States that provide coordination for conservation planning and implementation of projects that benefit all migratory bird populations and other species. Since the program's inception in 1986, Joint Ventures have worked with 5,700 partners to help enhance, conserve, restore, and protect nearly 24 million acres of essential habitat across North America.

Joint Ventures have a long history of success in implementing bird conservation initiatives mandated by Congress and by international treaties. Projects are developed at the local level and implemented through diverse public/private partnerships. These projects reflect local values and needs, while addressing regional and national

conservation priorities. The projects benefit not only birds, but many wildlife species, and have a positive impact on the health of watersheds and local economies. For every dollar appropriated for Joint Ventures leveraged more than \$33 in non-Federal partner funds. ABC respectfully requests that JVs be funded at the highest level possible. Joint Ventures have been funded at approximately \$13.1 million in fiscal year 2015. The administration's fiscal year 2016 request for Joint Ventures is \$18.591 million with an additional \$5 million to help JVs increase species resilience.

America faces a serious challenge to reverse the decline of many of our bird species, but it is possible. Since birds are sensitive indicators of how we are protecting our environment as a whole, this decline signals a crisis that Congress must act now in order to reverse it. ABC strongly believes increased funding for NMBCA and JVs is essential to achieving conservation goals critical to our environment and the economy.

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PREPARED STATEMENT OF THE AMERICAN CULTURAL RESOURCES ASSOCIATION

Our Request: \$89.91 million for the Historic Preservation Fund as follows:

- \$46.925 million for State Historic Preservation Offices (SHPOs)
- \$9.985 million for the Tribal Historic Preservation Offices (THPOs)
- \$500,000 in grants for underrepresented populations
- \$30 million for the Civil Rights competitive grants initiative
- \$2.5 million for competitive grants for Historically Black Colleges and Universities (HBCUs)

These programs are funded through withdrawals from the U.S. Department of the Interior's National Park Service Historic Preservation Fund (16 U.S.C. § 470h) (HPF).

ACRA MEMBERS DELIVER RESPONSIBLE HERITAGE MANAGEMENT SOLUTIONS THAT  
BALANCE ECONOMIC DEVELOPMENT AND HERITAGE PRESERVATION

ACRA is the national trade association representing the interests of heritage management firms of all sizes, types and specialties. ACRA's member firms undertake much of the legally mandated heritage management studies and investigations in the United States.

There are approximately 1,300 heritage management firms nationwide that employ over 10,000 heritage management professionals, including archaeologists, preservation architects, architectural historians, historians, and an increasingly diverse group of other specialists. These firms generate over \$1 billion in revenue annually. ACRA firms create and support jobs, providing employment for American-educated and trained professionals, and serve an important role in delivering responsible heritage management solutions for our communities that appropriately balance economic development and heritage preservation.

FUNDING SHPOS AND THPOS SUPPORTS DEVELOPMENT

In 1966, Congress, recognizing the importance of our heritage, enacted the National Historic Preservation Act (16 U.S.C. §§ 470, et seq.) (NHPA), which established historic preservation as a Federal Government priority. Historic preservation recognizes that what was common and ordinary in the past is often rare and precious today, and what is common and ordinary today may be extraordinary in the future.

Instead of using Federal employees to carry out the Act, the Department of Interior and the Advisory Council on Historic Preservation opted to partner with the States and use SHPOs and THPOs to, among other tasks, review all Federal projects for their impact on historic properties. Heritage management firms work closely with Federal, State and local government agencies, private industry and non-profit groups to conduct the reviews required by the NHPA.

In order for the review process to work smoothly, SHPOs and THPOs must have adequate funding. Proper financial support for their work allows SHPOs and THPOs to review and approve projects in a timely basis, facilitating development, moving projects forward in a timely and efficient manner, and ensuring that heritage management firms can get the job done. ACRA appreciates the administration's efforts to support preservation and the HPF, and applauds the addition of funding for the Civil Rights initiative; however, we ask that the subcommittee also consider increasing funding to SHPOs and THPOs given chronic underfunding of their activities.

The budget request does include a \$1 million increase for THPOs. THPOs are chronically underfunded; the additional \$1 million is a start to solving that challenge for tribes working to preserve and protect their culture and history. The request also includes \$30 million for Civil Rights initiatives and \$2.5 for HBCUs in recognition of the anniversary of the Civil Rights movement. ACRA supports these funding pieces, as well, and hopes that such funds will help diversify the sites preserved under the HPF.

#### CONCLUSION

On behalf of its 150 member firms, ACRA would like to thank the subcommittee for the opportunity to submit testimony. ACRA also thanks the subcommittee for its commitment to historic preservation and heritage management.

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#### PREPARED STATEMENT OF THE AMERICAN FOREST FOUNDATION

Investments in the U.S. Forest Service Forest Stewardship Program and the U.S. Forest Service Forest Health Protection Program will help family forest owners get ahead of increasing threats from invasive pests and pathogens, wildfire, and development pressures. Complementing these efforts, the Landscape Scale Restoration Program provides an innovative approach to target resources for maximum impact, meaning support for this program will ensure measurable outcomes on the ground. It is also critical that funding for U.S. Forest Service Forest Inventory and Analysis and overall Forest Service Research and Development programs are improved and maintained, so these programs continue to provide the information and technical resources for landowners to make informed decisions about America's forests.

- Support the U.S. Forest Service Forest Health Protection (Federal and Cooperative) at the fiscal year 2012 funding level of \$111 million;
- Support the U.S. Forest Service Forest Stewardship Program fiscal year 2012 budget level of \$29 million;
- Support the President's funding request of \$23.513 million for the Landscape Restoration Program;
- Support the President's funding request of \$83 million for the Forest Inventory and Analysis research;
- Support the U.S. Forest Service Research and Development Program at the fiscal year 2012 funding level of \$231 million;
- Support the U.S. State Fire Assistance Program at the fiscal year 2012 funding level of \$86 million; and
- Support the Wildfire Disaster Funding Act that will provide \$86 million in funding for fire suppression activities.

Investments in forestry programs will help strengthen rural communities, support rural jobs, and ensure that communities that rely on the clean water and air, wildlife habitat, and forest products from family-owned forests, don't face additional costs for these goods and services.

Unfortunately, new data suggests that by 2020, more than 18 million acres of family forests are threatened by housing development. Furthermore, almost 14 million acres are at risk of mortality due to insects and disease, while 29 million are at high or very high risk of destruction from wildfire.<sup>1</sup> At the same time, less than 15 percent of family forest owners have sought professional advice for the stewardship of their forests. Many are under the impression that leaving their woods alone is the best option. It is therefore essential we ensure these families have tools, technical information, and policy support to keep their forests as forests, for current and future generations.

The American Forest Foundation is a nonprofit conservation organization that works on the ground with more than 22 million family woodland owners through a variety of programs, including the American Tree Farm System®, to protect the values and benefits of America's family forests, with clear ecological and economic impact.

#### FOREST HEALTH INVESTMENTS

Threats from invasive species and pests continue to pervade onto American tree-farmer's land, posing economic and environmental hardships. Close to 500 species of tree-damaging pests from other countries have become established in the country, and a new one is introduced, on average, every 2 to 3 years. The USFS Forest Health Protection (FHP) Program is a critical resource supporting efforts to prevent,

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<sup>1</sup> Family Forest Research Center, 2014 Preliminary Data.

contain, and eradicate dangerous pests and pathogens affecting trees and forests. The program provides critical assistance to other Federal agencies, State agencies, local agencies and private landowners.

There was a 2.2 percent reduction in State and Private Forestry (S&PF) land that was reached from fiscal year 2012 to fiscal year 2013 for support for invasive species infestations.<sup>2</sup> Approximately 423,000 acres of Cooperative lands were reached in fiscal year 2013, but a reduction in funding from fiscal year 2011 to fiscal year 2013 resulted in 321,000 fewer acres receiving treatment. Any further cuts to this program will necessitate deeper reductions in support for communities already facing outbreaks and expose more of the Nation's family-owned forests to the devastating and costly effects of the Asian Longhorned Beetle, Emerald Ash Borer, Hemlock Woolly Adelgid, Thousand Cankers Disease, Western Bark Beetle and other pests.

#### FOREST STEWARDSHIP PROGRAM

The Forest Stewardship Program provides the guidance necessary to ensure our Nation's family-owned forests can continue to provide benefits (clean air and water, etc.), while leaving them less susceptible to forest health threats and conservation to non-forest users. Approximately 14 billion tons of carbon are stored on family forests and close to 400,000 acres of family forests are critical for the health of headwater streams. Active family forest-owners that provide many environmentally sustainable benefits are in need of the Forest Stewardship Program (FSP) to help them perform forest management plans on their property. The FSP is also critical in engaging the 95 percent of woodland owners who are not actively managing their land, and therefore have forests that are more susceptible to the environmental and economic threats such as invasive species and pests.

Families and individuals are the largest group of forest owners in the U.S., therefore responsible for the stewardship of 35 percent of America's forest legacy.<sup>3</sup> Many of these families and individuals receive key advice and technical assistance from State service foresters. The Forest Stewardship Program can increase its effectiveness by focusing on high-priority areas and new landowners. This can be accomplished if the U.S. Forest Service Forest Stewardship Program fiscal year 2012 budget level of \$29 million is supported. In addition, the AFF has partnered with State forest agencies to implement outreach tools and micro-targeting strategies to engage "unengaged" woodland owners; to date, the AFF has seen a 12 percent response rate. These outreach tools combined with a highly focused, appropriately funded Forest Stewardship Program has the potential to have an even greater impact.

#### SUPPORT THE LANDSCAPE SCALE RESTORATION PROGRAM

The Landscape Scale Restoration Program helps to concentrate resources to accomplish outcomes on-the-ground where they are needed the most. This program complements the ongoing work of the FSP and further targets measureable outcome in high-priority areas. AFF strongly urges the subcommittee to support the President's funding request of \$23.513 million for the Landscape Restoration Program.

Along with the FSP and AFF, the Landscape Scale Restoration Program would help family and individual woodland owners that are working to improve, maintain, and sustain high ecological standards and preserve the biodiversity of their land. In addition, with this program, the USFS is well-positioned to address the most pressing threats, protect the many public benefits we all enjoy from forests, and leverage Federal efforts for meaningful, measurable impact.

#### FOREST INVENTORY AND ANALYSIS AND FOREST SERVICE RESEARCH & DEVELOPMENT PROGRAM

Both the Forest Inventory and Analysis and Forest Service Research and Development Programs provide extensive science and forest information. This essential data provides forest landowners with critical updates on forest health and market trends to help them know how to mitigate growing threats.

In particular, the USFS Research and Development Program provides the science to help manage invasive species in urban and rural forests. The R&D function also provides new information about the use of wood products, which can help create new markets for products from family-owned woodlands. This information helps position wood in growing markets, like green building markets, where understanding the environmental impacts of building materials is key.

<sup>2</sup>USFS Forest Health, January 2015, *Forest Health Monitoring: National Status, Trends, and Analysis 2014*.

<sup>3</sup>USDA, May 2008, *Who Owns America's Forest?*

During fiscal year 2014 FIA maintained annualized inventory activity in all 50 States, total area currently sampled represents about 90 percent of all U.S. forestland. Due to late budget allocations, FIA was not able to maintain annual plot production at efficient level in fiscal year 2014. Total funding from all sources for the FIA program in fiscal year 2014 was \$77.7million; total funding from all sources was 14 percent below the amount needed for full program implementation.<sup>4</sup> AFF is urging support for the Presidents funding request of \$83 million for the Forest Inventory and Analysis and fiscal year 2012 funding level of \$231 million for Research and Development in order to gain a stronger understanding of our woodlands in order to protect them from the increasing threats mentioned previously and to allocate woodland resources appropriately.

#### STATE FIRE ASSISTANCE

Forest fires pose a large threat to family and individual landowners as these fires continue to increase in frequency and intensity. The State Fire Assistance helps the 22 million family woodland owners protect their land from devastating forest fires through technical fire program assistance and enhances State, local, and rural organizations including: community-based wildfire hazard mitigation efforts, fire plan development, and fire adapted ecosystem restoration.

The funds from the State Fire Assistance also provides coordinated fire protection and mobilization for fire suppression on both Federal and non-Federal lands. It also supports State coordinated hazard mitigation activities in the wildland-urban interface, focused on reducing property loss, decreasing fuels hazards, increasing public awareness, developing fire plans and citizen-driven solutions in rural communities.<sup>5</sup> These threatening factors continue to increase and require proper funding, therefore we are requesting support for the U.S. State Fire Assistance Program at the fiscal year 2012 funding level of \$86 million.

#### WILDFIRE DISASTER FUNDING

Over the last decade, wildfire expenses have significantly increased, and the Federal wildfire budgets often are not sufficient to cover the costs, leading the Federal agencies to transfer funds from non-fire accounts to cover fire-fighting expenses. In fiscal year 2012, the USFS transferred \$440 million and in fiscal year 2013 the transfer cost was upped to \$600 million. Understandably, this has caused significant disruptions in forest programs, including programs like the Forest Stewardship and Forest Health Protection Programs that aide family woodland owners in their stewardship.

In order to have programs that do all of this work—(1) reduce the threat of invasive species, (2) provide technical assistance to woodland owner's for good stewardship, and (3) provide restoration activities and active management work to reduce future fire risks—we need a permanent solution to the wildfire funding problem. The American Forest Foundation is asking that Congress pass the Wildfire Disaster Funding Act (S. 235/H.R. 167) as it would end disrupting, monetary transfers from the USDA Forest Service and Department of Interior to fund fighting wildfires. During fiscal year 2014 there were several fire funding shortfalls, which resulted in funding offsets from other programs, negatively impacting the Forest Legacy Program, Forest Landscape Restoration Program, and Urban Forestry.

American Forest Foundation would like to acknowledge that the subcommittee must find areas to reduce spending, but we hope that the subcommittee will consider the impact these reductions have on millions of family forest owners, along with all other Americans who are effected by all the benefits well-managed, working forests provide. We thank the subcommittee for the opportunity to provide some insight on these programs and appreciate consideration of my testimony.

#### PREPARED STATEMENT OF THE AMERICAN INDIAN HIGHER EDUCATION CONSORTIUM

##### REQUEST SUMMARY

On behalf of the Nation's Tribal Colleges and Universities (TCUs), which collectively are the American Indian Higher Education Consortium (AIHEC), thank you for this opportunity to present our fiscal year 2016 appropriations recommendations for the 30 colleges funded under various titles of the Tribally Controlled Colleges and Universities Assistance Act (Tribal College Act); the Bureau of Indian Edu-

<sup>4</sup> Forest Inventory and Analysis, February 2015, *Fiscal Year 2014 Business Report*.

<sup>5</sup> USFS, *Fire & Aviation Management: State Fire Assistance (SFA)*.

cation postsecondary institutions; and the Institute of American Indian Arts. The Bureau of Indian Education administers these programs, save for the Institute of American Indian Arts, which is congressionally chartered and funded directly through the Department of the Interior.

In fiscal year 2016, TCUs seek \$89.220 million for institutional operations, an endowment building program, and technical assistance under the Tribally Controlled Colleges and Universities Assistance Act of 1978 or Tribal College Act; of which, \$88.5 million is for Titles I & II operating grants (28 TCUs); \$109,000 for Title III (endowment grants); and \$601,000 for increasingly needed technical assistance. TCUs are founded and chartered by their respective American Indian tribes, which hold a special legal relationship with the Federal Government, actualized by more than 400 treaties, several Supreme Court decisions, prior congressional action, and the ceding of more than one billion acres of land to the Federal Government. Despite the trust responsibility and treaty obligations, the TCUs' primary source of basic operating funds has never been adequately funded. Further, our member institutions—already operating on shoestring budgets—have suffered the ramifications of sequestration. Should sequestration resume in fiscal year 2016, along with added across the board cuts that have become part of the regular order, the TCUs will suffer even greater annual reductions to this already underfunded program. Regrettably, the long-term Federal investment in this program, which has proven to be cost-effective, efficient, and transformative, may be lost as some of tribal colleges could be forced to close their doors. They simply cannot continue to operate on the inadequate funding they receive. After 35 years since this essential grants program was first funded, our fiscal year 2016 request seeks to finally achieve the authorized funding level for institutional operating grants, which is based on a per Indian student allocation; and to retain \$601,000 to provide critically needed, ever changing and expanding technical assistance.

AIHEC's membership also includes two tribally controlled postsecondary career and technical institutions, a portion of whose institutional operations funding is authorized under Title V of the Tribal College Act. AIHEC requests \$9,300,000 for this program. For the Institute of American Indian Arts, AIHEC supports the President's budget request of \$11,619,000. Haskell Indian Nations University and Southwestern Indian Polytechnic Institute are the Bureau of Indian Education's two postsecondary institutions. AIHEC supports a minimum of \$19,990,000, included in the President's fiscal year 2016 budget, for these important institutions.

Lastly, but very important, AIHEC is seeking a one-time \$20 million appropriation necessary to transition the institutional operating grants of the five TCUs that are still funded on the Federal fiscal calendar to an academic funding schedule. These institutions are the ONLY schools, funded through the Department of the Interior, that still receive their institutional funding on the Federal fiscal year (October 1) or more likely, later in the year when the annual Interior appropriation bill is passed, rather than the first week of July in preparation for the upcoming school year. Once forward funded these TCUs, like all other BIE/Interior schools, will be able to plan multiyear budgets and to start (and end) each school year with dependable funding. Forward funding does not increase the Federal budget in the long-term. It simply allows vital education programs to receive basic operating funds before each school year begins, which is critically important when the Federal Government is funded under continuing resolutions. We recognize the severe budgetary constraints that Congress is currently working under and suggest that the funds needed to transition these five colleges to a forward funded schedule could be accomplished over 2 or 3 years. Affected colleges would receive a second appropriation for one-half or one-third the amount needed to establish forward funding the grant program. After the second or third year, depending on the transition timeframe chosen, the Department of the Interior would begin distributing the colleges' annual institutional operating grants in July of each year, going forward.

#### TCU SHOESTRING BUDGETS: "DOING SO MUCH WITH SO LITTLE"

Tribal Colleges and Universities are an essential component of American Indian/Alaska Native (AI/AN) education. Currently, 37 TCUs operate more than 75 campuses and sites in 16 States, within whose geographic boundaries 80 percent of all American Indian reservations and Federal Indian trust land lie. They serve students from well over 250 federally recognized tribes, more than 70 percent of whom receive Federal financial aid. In total, the TCUs annually serve about 89,000 AI/ANs through a wide variety of academic and community-based programs. TCUs are public institutions accredited by independent, regional accreditation agencies, and like all U.S. institutions of higher education, must periodically undergo stringent performance reviews to retain their accreditation status. Each TCU is committed to



improving the lives of its students through higher education and to moving AI/ANs toward self-sufficiency. To do this, TCUs must fulfill additional roles within their respective reservation communities functioning as community centers, libraries, tribal archives, career and business centers, economic development centers, public meeting places, and child and elder care centers.

The Federal Government, despite its direct trust responsibility and binding treaty obligations, has never fully funded the TCUs' institutional operating budgets, authorized under the Tribally Controlled Colleges and Universities Assistance Act of 1978. In fact, TCU operating support is well below the level received by other institutions of higher education. The administration requests and Congress appropriates approximately \$200 million annually towards the institutional operations of Howard University (exclusive of its medical school), the only other Minority Serving Institution (MSI) that receives institutional operations funding from the Federal Government. Howard University's current Federal operating support exceeds \$20,000/student, because this is the level of need as determined by the U.S. Government. In contrast, most TCUs receive \$6,355/Indian Student (ISC) under the Tribal College Act, less than 80 percent of the authorized level. TCUs have proven that they need and have earned an investment equal to—at the very least—the congressionally authorized level of \$8,000/Indian student. It is important to understand that we are by no means suggesting that our sister MSI, Howard University does not need or deserve the funding it receives; it does. We are only pointing out that the TCUs also need and deserve adequate institutional operations funding; however, TCU operating budgets are chronically underfunded.

TCU budgets are at a further disadvantage because the colleges receive funding for only about 76 percent of their enrolled students. Almost every other U.S. institution of higher education receives institutional operations funding based on its entire student body. However, it is important to note that although approximately 24 percent of the TCUs' collective enrollments are non-Indian students living in the local community, TCUs receive Federal funding based only on Indian students, defined as members of a federally recognized tribe or the biological children of an enrolled tribal member. While many TCUs do seek funding from their respective State legislatures for their non-Indian, State-resident students (oftentimes referred to as "non-beneficiary" students) successes have been, at best, inconsistent. Yet, if a TCU's non-beneficiary students attended any other public institution in the State, the State would provide the college with ongoing funding toward its day-to-day operations. Given their locations, often hundreds of miles from another postsecondary institution, TCUs are open to all students, Indian and non-Indian, believing that education in general, and postsecondary education in particular is a catalyst to a better economic future for their areas.

#### FURTHER JUSTIFICATIONS & FACTS

- (a) TCUs provide access to valuable postsecondary education opportunities. Tribal Colleges and Universities provide access to higher education for American Indians and others living in some of the Nation's most rural and economically depressed areas. In fact, seven of the Nation's 10 poorest counties are home to a TCU. The American Community Survey/U.S. Census Bureau reported the annual per capita income of the U.S. population as \$28,184. However, the annual per capita income of AI/ANs is reported to be \$16,777, or 40 percent lower than that of the general population. TCUs offer their students a high level of support and guidance to bolster their chances of achieving academic success. In addition to serving their student populations, these tribal institutions offer a variety of much-needed community outreach programs.
- (b) TCUs are producing a Native workforce that includes highly trained AI/AN teachers, tribal government leaders, nurses, engineers, computer programmers, and other much-needed professionals. By teaching the job skills most in demand on their reservations, TCUs are laying a solid foundation for tribal economic growth, with benefits for surrounding communities and the Nation as a whole. In contrast to the high rates of unemployment on many reservations, graduates of TCUs are employed in "high demand" occupations such as Head Start teachers, elementary and secondary school teachers, agriculture and land management specialists, and nurses/healthcare providers. Just as important, the vast majority of TCU graduates remains in their tribal communities, applying their newly acquired skills and knowledge where they are most needed.
- (c) Growing number of TCUs—Compounding existing funding disparities is the fact that although the numbers of TCUs and students enrolled in them have dramatically increased since they were first funded in 1981, appropriations

have increased at a disproportionately low rate. Since 1981, the number of tribal colleges has happily more than quadrupled and continues to grow; the number of Indian students enrolled has risen over 355 percent. In the past 10 years, six additional TCUs have become accredited and eligible for funding under Title I of the Tribal College Act, and there are several more colleges currently in the pipeline. TCUs are in many ways victims of their own successes. The growing number of tribally chartered colleges and universities and increasing enrollments have forced TCUs to slice an already inadequate annual funding pie into even smaller pieces.

- (d) Local Tax and Revenue Bases—TCUs cannot rely on a local tax base for revenue. Although tribes have the sovereign authority to tax, high reservation poverty rates, the trust status of reservation lands, and the lack of strong reservation economies hinder the creation of a reservation tax base. As noted earlier, on Indian reservations that are home to TCUs, the unemployment rate can well exceed 70 percent. By contrast, the national unemployment rate is currently 5.5 percent.
- (e) Gaming and the TCUs—Although several of the reservations served by TCUs do have gaming operations, these are not the mega-casinos located in proximity to urban outlets and featured in the broad-based media. Only a handful of TCUs receive regular income from the chartering tribe's gaming revenue, and the amounts received can vary greatly from year to year. Most reservation casinos are small businesses that use their gaming revenue to improve the local standard of living and potentially diversify into other, more sustainable areas of economic development. In the interim, where relevant, local TCUs offer courses in casino management and hospitality services to formally train tribal members to work in their local tribally run casinos.

Some form of gaming is legalized in 48 States, but the Federal Government has not used the revenues generated from State gaming as a justification to decrease Federal funding to other public colleges or universities. Some have suggested that those tribes that operate the few extremely successful and widely publicized casinos should be financing higher education for all American Indians. And yet, no State is expected to share its gaming revenue with a less successful or non-gaming State.

#### APPROPRIATIONS REQUEST FOR FISCAL YEAR 2016

As noted earlier, it has been 35 years since the Tribal College Act was first funded, and the TCUs have yet to receive the congressionally authorized per Indian student funding level. Full funding for the TCUs' institutional operating grants (\$8,000 per Indian student) for fiscal year 2016 would require an increase of approximately \$19.4 million over the fiscal year 2015 appropriated level. Details of the request are outlined in the Request Summary above.

#### CONCLUSION

AIHEC Member institutions/Tribal Colleges and Universities provide quality higher education to many thousands of American Indians and other reservation residents, as well as essential community programs and services to those who might otherwise not have access to such opportunities. The modest Federal investment that has been made in TCUs has paid great dividends in terms of employment, education, and economic development. Continuation of this investment makes sound moral and fiscal sense.

We greatly appreciate your past and continued support of the Nation's Tribal Colleges and Universities and your thoughtful consideration of our fiscal year 2016 appropriations requests.

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#### PREPARED STATEMENT OF THE AMERICAN INSTITUTE OF BIOLOGICAL SCIENCES

The American Institute of Biological Sciences (AIBS) appreciates the opportunity to provide testimony in support of appropriations for the United States Geological Survey (USGS), United States Forest Service (USFS), and Environmental Protection Agency (EPA) for fiscal year 2016. AIBS encourages Congress to provide the USGS with \$1.2 billion in fiscal year 2016 and \$176.3 million for the Ecosystems activity. We further request that Congress provide the USFS Forest and Rangeland Research program with at least \$296.0 million, and EPA Science and Technology with at least \$769.1 million.

The AIBS is a nonprofit scientific association dedicated to advancing biological research and education for the welfare of society. AIBS works to ensure that the pub-

lic, legislators, funders, and the community of biologists have access to and use information that will guide them in making informed decisions about matters that require biological knowledge. Founded in 1947 as a part of the National Academy of Sciences, AIBS became an independent, member-governed organization in the 1950s. Today, AIBS has more than 140 member organizations and is headquartered in Reston, Virginia, with a Public Policy Office in Washington, DC.

#### U.S. GEOLOGICAL SURVEY

The USGS provides unbiased, independent research, data, and assessments that are needed by public and private sector decision-makers. Data generated by the USGS save taxpayers money by reducing economic losses from natural disasters, allowing more effective management of water and natural resources, and providing essential geospatial information that is needed for commercial activity and natural resource management. The data collected by the USGS are not available from other sources and our Nation cannot afford to sacrifice this information.

The Ecosystems activity within USGS underpins the agency's other science mission areas by providing information needed for understanding the impacts of water use, energy exploration and production, and natural hazards on natural systems. The USGS conducts research on and monitoring of fish, wildlife, and vegetation—data that informs management decisions by other Interior bureaus regarding protected species and land use.

Biological science programs within the USGS gather long-term data not available from other sources. The knowledge generated by USGS programs is used by Federal and State natural resource managers to maintain healthy and diverse ecosystems while balancing the needs of public use.

Examples of successful USGS Ecosystem initiatives include:

- Development of comprehensive geospatial data products that characterize the risk of wildfires on all lands in the United States. These products are used to allocate firefighting resources and to plan fuel reduction projects.
- Identification and evaluation of control measures for Asian carp, sea lamprey, Burmese pythons, and other invasive species that cause billions of dollars in economic losses.
- New insights on the spread of avian flu, chronic wasting disease, and other wildlife diseases in North America.

The requested fiscal year 2016 budget would support several important ecosystem science priorities at USGS. Science in support of critical landscapes, such as the Arctic and sage steppe, would be boosted. The budget would also focus research efforts on emerging invasive species and the declining status of native pollinators. USGS would support efforts to further the science and integration of ecosystems services frameworks into decision-making and implement efforts to assess and sustain the Nation's environmental capital.

New funding is proposed for the Cooperative Research Units to increase undergraduate involvement in research. These efforts would complement the existing focus on graduate education. Roughly 500 graduate students each year receive training at Cooperative Research Units. Through the units, the USGS and their partners address pressing issues facing natural resource managers at the local, State, and Federal levels. Examples of recent research initiatives include studying the effects of the Gulf of Mexico oil spill on wildlife and fisheries, and studying the impacts of wildfires on forest ecology. The program is an efficient use of resources: each Federal dollar invested in the program is leveraged more than five-fold.

In summary, the USGS is uniquely positioned to provide a scientific context for many of the Nation's biological and environmental challenges, including water quality and use, energy independence, and conservation of biological diversity. This array of research expertise not only serves the core missions of the Department of the Interior, but also contributes to management decisions made by other agencies and private sector organizations. An investment of \$1.2 billion in the USGS and at least \$176.3 million in the Ecosystems activity will yield dividends.

#### U.S. FOREST SERVICE

United States Forest Service research provides scientific information and new technologies to support sustainable management of the Nation's forests and rangelands. These products and services increase the basic biological and physical knowledge of the composition, structure, and function of forest, rangeland, and aquatic ecosystems.

The fiscal year 2016 budget request would cut funding for Forest Service research by \$4.0 million. Nearly all Forest Service research program areas are targeted for

budget cuts. Six of seven research areas would be cut by 7 to 8 percent. Research on wildfires, invasive species, and resource management would be impacted.

Scaling back research efforts is a lost opportunity for USFS in fulfilling their mission to sustain the health, diversity, and productivity of the Nation's forests and grasslands. Scientific information is needed to best manage public lands for economic development, recreational uses, and preservation of the natural environment.

We ask Congress to restore the proposed cuts and to fund the Forest and Rangeland Research program at \$296.0 million, the same amount as in fiscal year 2015.

#### ENVIRONMENTAL PROTECTION AGENCY

The EPA Office of Research and Development (ORD) supports valuable extramural and intramural research that is used to identify and mitigate environmental problems facing our Nation. ORD research informs decisions made by public health and safety managers, natural resource managers, businesses, and other stakeholders concerned about air and water pollution, human health, and land management and restoration. In short, ORD provides the scientific basis upon which EPA monitoring and enforcement programs are built.

Despite the important role played by ORD, its funding has declined by approximately 20 percent in nominal dollars since fiscal year 2004, when it peaked at \$646.5 million. "This long-term decline has limited and will continue to limit the research that can be conducted to support the agency's effort to protect human health and the environment," according to the EPA's Science Advisory Board. "These limitations pose a vulnerability for EPA at a time when the agency faces significant science questions with long-term implications for protecting the environment and public health."

The Ecosystem Services Research program within ORD is responsible for enhancing, protecting, and restoring ecosystem services, such as clean air and water, rich soil for crop production, pollination by bees and other species, and flood control. The program has been long underfunded, according to the EPA Science Advisory Board. The fiscal year 2016 request would continue the declining funding trend with a \$3 million cut. We ask that Congress address the chronic underfunding of the program.

Two valuable training opportunities for the next generation of scientists will be eliminated as part of a proposed government-wide reorganization of science, technology, engineering, and mathematics education programs. Funding would be zeroed out for EPA Science to Achieve Results (STAR) graduate fellowships and Greater Research Opportunities undergraduate fellowships. The Science Advisory Board "considers it a priority to increase STAR fellowships, if possible, because support for environmental scientists at an early stage in their careers is a cost-effective way to advance ORD's strategic goals." The National Academy of Sciences called the fellowship "a valuable mechanism for enabling a continuing supply of graduate students in environmental sciences and engineering." We are concerned that the elimination of these programs will be detrimental to preparation of the next generation of environmental scientists and engineers. We ask for the program to remain at EPA and to be supported at an adequate funding level.

Thank you for your thoughtful consideration of this request.

#### PREPARED STATEMENT OF THE ANIMAL WELFARE INSTITUTE

##### WHITE-NOSE SYNDROME (WNS)

*U.S. Fish and Wildlife Service.*—\$4.5 million (President's budget request) total. \$2 million in Endangered Species Recovery; \$2.5 million in Service Science.

*U.S. Geological Survey.*—\$1.424 million (President's budget request) in Ecosystems/Wildlife.

*National Park Service.*—\$3.155 million (President's budget request) in Operations/Park Management/Natural Resource Stewardship.

*Bureau of Land Management.*—\$500,000.

*U.S. Forest Service.*—\$2.5 million (\$1.8 million increase over \$700,000 available in fiscal year 2015) in Research and Development; \$500,000 in Forest Systems.

Nine years after the first known observation of white-nose syndrome, WNS remains at the root of North America's most precipitous wildlife die-off of the past century. WNS has killed at least 5.7 million bats and has spread to 26 States and 5 Canadian provinces. The disease is caused by an invasive species of fungus, *Pseudogymnoascus destructans* (*Pd*), that thrives in caves and abandoned mines and infects bats hibernating there, disrupting their physiological processes. WNS has struck seven species, including the federally endangered Indiana and gray bats, and

has the potential to affect 25 of our 47 bat species. Declines are so severe that the U.S. Fish and Wildlife Service (FWS) has designated the northern long-eared bat as threatened due to WNS.

Bats are integral to our economy and environment. They are primary predators of night-flying insects, including agricultural pests that attack corn, soybeans, cotton, and other crops. By eating these pests, bats reduce the need for pesticides, lower food production costs, and save U.S. farmers an average of \$22.9 billion per year. Bats also perform ecological services for 66 plant species that produce timber.

The Federal Government and its partners have responded admirably to the WNS crisis. Thanks to steady Government funding, their research has unlocked much of the disease's basic biology and informed initial management decisions. More remains to be done, however.

The U.S. Fish and Wildlife Service (FWS) is the lead agency for WNS response. The agency serves as an umbrella organization for nationwide WNS action, steering, facilitating, and managing information flow for the efforts of the more than 100 Federal, State, local, tribal, academic, nonprofit, and other entities that contribute to the WNS fight. In this role, FWS creates dialogue among the partners that sets the direction for WNS work, advancing WNS science and identifying how best to spend WNS funds. FWS also catalyzes scientific research on WNS by distributing millions of dollars in research grants every year. The grants fund work that likely would not occur otherwise and increases our knowledge of the disease, such as a paper published last year on research suggesting that *Pd* can persist in caves and abandoned mines for long periods in the absence of bats. FWS is the largest source of funding for State agencies to monitor, manage, and research WNS. We support the President's request for FWS WNS activities.

The U.S. Geological Survey (USGS) plays a critical role in WNS research. When WNS was first observed in 2006, both it and *Pd* were unknown to science. Since then, USGS's research has laid much of the foundation of our understanding of them. The agency continues to expand this knowledge and has begun exploring ways to treat WNS. In recent years, USGS developed a more accurate WNS test for bats that, unlike previous methods, doesn't require euthanizing the animals; the agency now is collaborating with State agencies at the WNS border to deploy this test to monitor the disease. With a view to possible treatments, USGS also is studying *Pd*'s cave environment to identify conditions conducive to and hostile to the fungus, as well as whether other microbes found on bats' skin could mitigate the effects of *Pd*. We support the President's request for \$1.424 million for USGS in the Wildlife account to continue this work.

The natural resources of the National Park Service (NPS) provide opportunities and challenges related to WNS management and information-sharing. NPS conducts bat and disease monitoring in its many caves and abandoned mines, and plays an important role in educating the public about WNS. The many visitors that NPS hosts also heighten the need for the agency to prevent the human spread of *Pd*. Conducting chemical disinfection with visitors and staff when entering and exiting caves and abandoned mines has enabled NPS to research and advance knowledge of the efficacy of various decontamination methods used by natural resource-management personnel and recreational cavers across the country. Finally, NPS is integrating WNS into all staff bat-resource activities; for example, conducting wing swabs for WNS is becoming standard procedure whenever NPS staff handle bats. We support the President's budget request of \$3.155 million in Natural Resource Stewardship for NPS to continue these activities.

With at least 3,000 caves and an estimated 31,000 abandoned mines on its lands, the Bureau of Land Management (BLM) has much work to do on WNS but has never been allocated the funds for it. Most of BLM's lands, concentrated in the western U.S., have not yet suffered from WNS, but addressing the disease is necessary, and BLM has begun the task, thanks in part to directive language from Congress starting in fiscal year 2012. To address a paucity of information about bats and their habitat on BLM lands, staff are conducting bat inventories. To minimize the risk of *Pd* spread, the agency has integrated decontamination into protocols for personnel who enter caves or abandoned mines and is producing educational programming on decontamination for visitors. BLM also aims to prevent *Pd* spread by closing abandoned mines, installing gates on other mines and caves to keep out people, and selectively closing caves to visitors. One way BLM has been carrying out these measures is through an internal small-grant program; field offices apply for up to \$2500, which must be matched by other funds, often from State agencies or local NGOs. In the face of continued WNS spread these efforts must be increased. We request \$500,000 for the BLM to implement on-the-ground WNS measures.

The U.S. Forest Service (USFS) has an important role to play in WNS response. Drawing on resources such as the Center for Forest Mycology Research—specialized

in the study of fungi—USFS scientists have contributed greatly to the understanding of WNS and *Pd*. In 2013, agency researchers taxonomically reclassified the WNS-causing fungus, laying the foundation for a better understanding of *Pd*. USFS is currently working to pinpoint *Pd*'s harmful genes, in the hope of silencing them. USFS also is exploring the use of a native soil bacterium to inhibit *Pd* and improve survival of WNS-infected bats. In response to directive language from Congress in fiscal year 2012, USFS wrote a WNS science strategy. With the goals of that strategy accomplished, USFS is about to issue an updated strategy. Although implementing it will cost \$2.5 million in the first year, USFS's Research and Development branch is able to allocate only \$700,000; we request that the subcommittee provide the \$2.5 million needed to implement its strategy. (The President's budget allocates \$83 million to USFS Research and Development's Forest Inventory and Analysis (FIA) budget; according to agency officials, only \$75 million can be spent efficiently in fiscal year 2016. We request that the subcommittee use the extra \$8 million for non-FIA Research and Development needs, including WNS.) We also ask for \$500,000 for USFS's Forest Systems branch for WNS management, monitoring, and field research on USFS lands. Finally, we respectfully ask the subcommittee not to tie WNS funds to, or otherwise encumber the threatened listing of the northern long-eared bat.

#### FISH AND WILDLIFE SERVICE—OFFICE OF LAW ENFORCEMENT—\$75.4 MILLION

The FWS Office of Law Enforcement (OLE) is one of the most important lines of defense for America's wildlife. OLE enforces over a dozen Federal wildlife and conservation laws that frequently impact both domestic and global security. Year after year, OLE protects the public against the illegal trade in wildlife and wildlife products—which ranks third only to the illicit trade in narcotics and weapons in terms of global revenue—and the U.S. remains a source of, or destination for, much of this contraband. Even those who may not concern themselves with wildlife are reaping benefits as OLE protects against smuggling illegal substances and helps to thwart potentially devastating human health threats. We support FWS's proposed appropriation of \$75.4 million for OLE, an increase of \$8.7 million over the fiscal year 2015 enacted budget, and the addition of 45 full-time employees (FTE) over the fiscal year 2015 enacted budget. These increases will provide for expanded forensics capability at the National Fish and Wildlife Forensics Laboratory, support the work of Special Agents and Wildlife Inspectors, and enhance FWS's ability to combat wildlife trafficking.

#### *National Fish and Wildlife Forensics Laboratory—\$750,000 increase*

The successful outcomes of enforcement cases would not be possible without the essential work of the National Fish and Wildlife Forensics Laboratory (NFWFL), used by FWS agents and inspectors to gather hard evidence in wildlife crime cases. Proposed funding will aid in the advancement of research involving genetic markers and isotope analysis, which will ultimately improve investigators' ability to determine the geographic origin of animals and animal parts.

#### *Wildlife Trafficking—\$4,000,000 increase +25 FTE*

Combatting increased wildlife trafficking has become a high priority for the administration, Congress, and numerous governmental agencies. Wildlife trafficking threatens not only species conservation, but also global peace given its close association with terrorism and criminal syndicates. High-speed electronic communication has expanded the rapidity, ease, and range by which criminal elements conduct business, and funds derived from this illegal activity are often used for other crimes and terrorist activities. With poaching reaching unprecedented levels worldwide, domestic and international governmental and private entities have been turning to FWS for leadership in coordinating, guiding, and implementing a workable response. This funding increase supports the Executive Order on combating wildlife trafficking; with it, FWS will hire 25 new personnel. Specifically, the new positions will focus on information analysis in order to forge permanent liaisons with the U.S. intelligence community and other Federal law enforcement agencies. Currently, OLE does not have the staff to mount a focused, concerted, and effective effort to address high speed or electronic illegal activities. These new analysts will allow OLE to better combat and pursue traffickers of natural resources on the Internet and in high speed transport. Other special agents will be assigned to FWS regions, headquarters, and selected overseas embassies as attaches to focus on investigating illegal electronic commerce.

*Law Enforcement Activities—\$4,000,000 increase +20 FTE*

OLE's ability to enforce critical wildlife laws, such as the Lacey Act, and safeguard species has been increasingly limited by shortfalls in Special Agent staffing. Currently, a majority of the staff are thinly spread in single-agent duty stations across the country. Often, only one or two agents cover an entire State, forcing agents to frequently work alone, which raises concerns about officer safety and efficiency as they can only focus on a limited number of cases at a time. With the increase, FWS will hire 20 new Special Agents to address staffing shortfalls that affect OLE's ability to perform ongoing investigations. The new agents will be deployed to the field for direct interdiction of illegal commercial activities.

## WILD FREE-ROAMING HORSES AND BURROS ACT

The Bureau of Land Management (BLM) continues to round up wild horses and warehouse them on private lands at great public expense. This is not a humane or responsible solution, and for the last few years this subcommittee has called on the BLM to implement humane on-the-range solutions. It appears this message is being heard by the Agency. We appreciate the subcommittee's continued commitment to finding humane and responsible long-term solutions and encourage you to maintain this path. We support the BLM's proposed increase of \$2.9 million for wild horse and burro management. These funds are to be used for humane population control research, including ongoing research into developing more effective and longer lasting fertility control agents. We support these efforts and request that any increase in appropriations under the Wild Free-Roaming Horses and Burros Act be used solely to implement humane, on-the-range management methods such as immunocontraception, and not unnecessary roundup. Finally, we strongly support the continued inclusion of this "no-kill" language to ensure that BLM does not kill healthy wild horses and burros: *Provided, that appropriations herein made shall not be available for the sale or destruction of healthy, unadopted wild horses and burros in the care of the Bureau or its contractors.*

## NATIONAL WILDLIFE REFUGE SYSTEM—PILOT PROGRAM AND DATA COLLECTION

We support the administration's \$508.2 million request to operate and maintain the National Wildlife Refuge System (NWRS), which generates \$2.5 billion in economic impacts and \$342.9 million in tax revenues. To enhance the NWRS's stated purpose of conserving fish and wildlife, including species threatened with extinction, we request that FWS implement the following two programs geared towards minimizing the damage and threats posed by indiscriminate and injurious body-gripping traps to humans, wildlife, and other animals on refuge land:

*Pilot Program:* The subcommittee should direct FWS to develop and implement a pilot program of no fewer than 5 years banning body-gripping traps (snare, Conibear traps, and leg-hold traps) from National Wildlife Refuges within Region 5 (Northeast Region). FWS will collect data on the program's effects on wildlife populations, other approved recreational uses, and FWS facilities, and report back to Congress within 90 days of the program's conclusion.

*Data Collection Program:* The subcommittee should direct FWS to compile data regarding the use of animal traps within the NWRS. Specifically, FWS should provide Congress information regarding the number and species of animals trapped, number of target versus non-target animals, the primary purposes for trapping on refuge land, the humaneness of body-gripping traps, the impacts of trapping on endangered and threatened species and domestic animals, and the extent to which trapping impacts other recreational uses allowed within the NWRS. Additionally, FWS should allow interested and qualified outside parties to submit data relevant to the request above through a public comment period of no less than 30 days. FWS should present a report to Congress containing this and any other relevant information within 120 days of this bill's enactment.

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PREPARED STATEMENT OF THE AMERICAN SOCIETY OF MECHANICAL ENGINEERS (ASME) ENVIRONMENTAL PROTECTION AGENCY (EPA) TASK FORCE OF THE ASME ENVIRONMENTAL ENGINEERING DIVISION

Mr. Chairman, ranking members, and members of the Subcommittee:

The ASME Environmental Protection Agency Task Force (Task Force) is pleased to provide this testimony on the fiscal year 2016 budget request for the EPA Science and Technology (S&T) programs.

## INTRODUCTION

ASME is a nonprofit, worldwide mechanical engineering professional society with more than 130,000 members. It conducts one of the world's largest technical publishing operations, holds more than 30 technical conferences and 200 professional development courses each year, and has authored over 600 industrial and manufacturing standards.

## BACKGROUND

U.S. scientists and engineers have a long-standing professional interest in applying Science & Technology (S&T) to improve the environment and human health. Mechanical engineers increasingly collaborate with other professionals to develop innovative and cost-effective environmental technologies and systems.

The EPA's Office of Research and Development (ORD) is an essential part of the Nation's efforts to protect human health and safeguard the environment in a scientifically sound and sustainable manner. ORD's efforts improve environmental health, provide innovative environmental monitoring techniques, and support environmental technology development and implementation.

## OVERVIEW OF THE ASME EPA TASK FORCE REVIEW

The fiscal year 2016 budget request for EPA is \$8.5 billion, a \$452 million or 5.5 percent increase from the \$8.1 billion enacted in fiscal year 2015. The EPA's ORD Science and Technology (S&T) accounts would increase by \$34.4 million to \$769 million, a 4.6 percent increase.

Key research areas for mechanical engineering within the S&T portfolio include the Air, Climate, and Energy area, the Safe and Sustainable Water Resources research program area, and research at the National Risk Management Research Laboratory. Air, Climate, and Energy would increase by \$8.4 million (9.1 percent) to \$100.3 million, and Safe and Sustainable Water Resources would increase by 3.4 million (3.3 percent) to \$111 million. Chemical Safety and Sustainability would see the largest increase at 13.8 million (10.8 percent) to \$140.7 million. Funding for the National Risk Management Research Laboratory would be reduced slightly from \$71 million to \$70.6 million.

EPA has seen declining budget figures for the last several budget cycles. Funding proposed for fiscal year 2016 is actually below that provided to the agency in fiscal year 1995. The reduced funding has resulted in a 10 percent contraction in the S&T workforce over the past 20 years, which places extraordinary pressure on the agency to provide the S&T support required by EPA and other Federal and State organizations. The Task Force feels that the President's budget allocation for fiscal year 2016 is warranted given the Nation's environmental challenges. Additional R&D funds are needed in order to enhance study responses to resolve hydraulic fracturing and oil shale waste issues, to better understand the impacts of climate change, to support the development of terrestrial carbon sequestration and management, to help guide the proper development of biofuels, to improve our understanding of chemical safety and toxicology, to measure the environmental impacts of nanotechnology, to promote sustainable waste management, and to better understand water resources utilization and development.

The Task Force's comments on the fiscal year 2016 budget focus on the mechanical engineering-intensive activities of the S&T portfolio within the EPA's Office of Research and Development (ORD). The change in funding levels supporting these core objectives in the last two budget cycles along with the proposed fiscal year 2016 budget figures are as follows:

|  | Fiscal year<br>2014<br>(million) | Fiscal year<br>2015<br>(million) | Fiscal year<br>2016<br>(million) |
|--|----------------------------------|----------------------------------|----------------------------------|
| Indoor Air and Radiation .....             | \$7.2                            | \$5.9                            | \$6.6                            |
| Homeland Security .....                    | 38.5                             | 37.1                             | 38.1                             |
| Clean Air and Climate .....                | 110.3                            | 116.5                            | 124.8                            |
| Safe and Sustainable Water Resources ..... | 120.0                            | 107.4                            | 111.0                            |
| Human Health Protection .....              | 3.7                              | 3.5                              | 3.7                              |
| Air, Climate, and Energy Research .....    | 99.4                             | 91.9                             | 100.3                            |

## EPA OFFICE OF RESEARCH AND DEVELOPMENT (ORD)

Through research and technical assistance, ORD provides the scientific foundation for EPA by performing research and development to identify and solve present and



future environmental issues and provide responsive technical support to its scientific partners. The ORD administers programs addressing both basic research and the development of the scientific tools used to understand and evaluate environmental health. ORD also conducts problem-driven research designed to provide scientific solutions to high-priority environmental problems. It is an invaluable national resource.

We note that the ORD workforce has declined in each of the last 5 fiscal years—a loss of more than 200 environmental science professionals—a staffing level that makes it difficult to permit efficient action on a number of topics of national importance, particularly toxicology, nanotechnology, sustainable waste management and water resources. Effort should be made to bring ORD staff to approximately pre-sequestration levels so that EPA can continue to support R&D on current and future environmental problems.

The Task Force supports the increases requested for the EPA's S&T directorate, which partially reverses several years of funding decreases. An evaluation of EPA's resources is needed to ensure that it can balance between existing priorities and new challenges. Program specifics are outlined below:

#### INDOOR AIR AND RADIATION

|                                       | Fiscal year 2014<br>(million) | Fiscal year 2015<br>(million) | Fiscal year 2016<br>(million) |
|---------------------------------------|-------------------------------|-------------------------------|-------------------------------|
| Indoor Air: Radon Program .....       | \$0.21                        | \$0.19                        | \$0.0                         |
| Reduce Risks from Indoor Air .....    | 0.36                          | 0.31                          | 0.41                          |
| Radiation Protection .....            | 2.5                           | 1.9                           | 2.1                           |
| Radiation Preparedness Response ..... | 4.1                           | 3.5                           | 4.0                           |

The Task Force supports the EPA's replacement of the Radon Program with the Federal Radon Action Plan, which will leverage industry and nonprofit efforts to amplify existing Federal efforts to reduce radon risk.

#### HOMELAND SECURITY

|  | Fiscal year 2014<br>(million) | Fiscal year 2015<br>(million) | Fiscal year 2016<br>(million) |
|--|-------------------------------|-------------------------------|-------------------------------|
| Critical Infrastructure Protection .....             | \$10.2                        | \$10.3                        | \$11.8                        |
| Preparedness, Response and Recovery .....            | 27.8                          | 26.2                          | 25.6                          |
| Protection of EPA Personnel and Infrastructure ..... | 0.54                          | 0.54                          | 0.60                          |

Homeland security activities are a significant component of the EPA's S&T activities, focusing on critical infrastructure protection and disaster preparedness and response. The Task Force supports the additional funding allocated to the Critical Infrastructure Protection program.

#### CLEAN AIR AND CLIMATE

|                          | Fiscal year 2014<br>(million) | Fiscal year 2015<br>(million) | Fiscal year 2016<br>(million) |
|--------------------------|-------------------------------|-------------------------------|-------------------------------|
| Climate Protection ..... | \$11.7                        | \$8.0                         | \$7.8                         |

The EPA Task Force views Climate Protection Research as an important issue and is somewhat surprised by the funding trajectory for this program given funding levels supported in previous fiscal years. The Task Force supports this request given the constrained budget environment.

#### RESEARCH: AIR, CLIMATE AND ENERGY

|                      | Fiscal year<br>2013<br>(million) | Fiscal year<br>2014<br>(million) | Fiscal year<br>2015<br>(million) |
|----------------------|----------------------------------|----------------------------------|----------------------------------|
| S&T Activities ..... | \$99.4                           | \$91.9                           | \$100.3                          |

The EPA Task Force supports the full fiscal year 2016 increased request for Air, Climate and Energy Research, particularly the additional proposed funding for hydraulic fracturing programs and carbon sequestration.

#### SAFE AND SUSTAINABLE WATER RESOURCES

|                | Fiscal year<br>2013<br>(million) | Fiscal year<br>2014<br>(million) | Fiscal year<br>2015<br>(million) |
|----------------|----------------------------------|----------------------------------|----------------------------------|
| Research ..... | \$120.0                          | \$107.4                          | \$111.0                          |

Safe and Sustainable Water Resources funding supports a variety of activities related to the challenges facing U.S. water resources, including drinking water and wastewater from industrial activities. The Task Force is pleased that sustainability funding has been increased, just over \$3.5 million, and supports the fiscal year 2016 request.

#### HUMAN HEALTH PROTECTION

|                               | Fiscal year<br>2013<br>(million) | Fiscal year<br>2014<br>(million) | Fiscal year<br>2015<br>(million) |
|-------------------------------|----------------------------------|----------------------------------|----------------------------------|
| Drinking Water Programs ..... | \$3.7                            | \$3.5                            | \$3.7                            |

Overall, the fiscal year 2016 budget request calls for a slight increase from the fiscal year 2015 appropriated amount. The Task Force considers water quality issues as a high priority of the EPA and supports this request given the constrained budget environment.

#### WATER QUALITY RESEARCH AND SUPPORT GRANTS

The EPA Task Force urges Congress to again support funding for the Water Quality Research and Support Grants program. Last year, Congress provided \$4.1 million for this nationally competitive grant program to fund water quality and availability research. Given the severe droughts and water resource challenges facing many parts of the country, the Task Force supports funding at the fiscal year 2015 appropriated level for this program.

#### ENVIRONMENTAL EDUCATION

The fiscal year 2016 budget includes \$10.9 million in funding to support Environmental Education, which was funded at \$8.7 million in fiscal year 2015. Such investments are critical to providing fellowships for U.S. citizens who are scientists and engineers, ensuring top quality research and development of our Nation's S&T workforce.

Many of EPA's environmental education activities have been transferred to the National Science Foundation (NSF) over the last 2 years, and we urge improved interagency coordination to ensure that the goals of EPA's programs are met under NSF's administration. The Task Force urges continued support (\$15 million) for EPA's Science to Achieve Results (STAR) and Greater Research Opportunities (GRO) fellowship programs (program started in 1995) and urges the subcommittee to support strong funding for the National Center for Environmental Research.

#### CONCLUSION

The administration's fiscal year 2016 request reflects of a difficult fiscal climate where tough choices have to be made to support important national priorities. This is particularly true for basic environmental research. As noted above, the Task Force requests additional funding be allocated for the toxicology, nanotechnology, sustainable waste management, and water resources (quality and quantity challenges) programs at EPA to ensure continued progress in our understanding of environmental and health impacts in these areas. Further, the Task Force proposes strong funding of EPA's National Center for Environmental Research and National Risk Management Research Laboratory programs, urges the subcommittee to support funding for EPA's graduate fellowships, and urges additional funding to ensure that full-time S&T staffing needs at EPA ORD are met.

This statement represents the views of the ASME EPA Task Force and is not necessarily a position of ASME as a whole.

## PREPARED STATEMENT OF THE ASSOCIATION OF AMERICAN STATE GEOLOGISTS

Dear Chairman Murkowski and Ranking Member Udall:

The Association of American State Geologists urges Congress to fund USGS 3DEP to at least the level recommended by the President; enhanced elevation data will stimulate economic growth, while improving our health and security; Federal leadership will increase the efficiency and effectiveness of the activity as a whole.

State Geologists direct State geological surveys and work to ensure that their States are supported by optimal information. From time to time, a technology matures in a way that offers an opportunity to revolutionize everything that we do on the land—resulting in cost savings and improved benefits for a broad range of activities in the economy. LiDAR and associated technologies offer that opportunity.

The Association of American State Geologists (AASG) is confident that appropriate and desirable Federal leadership through the US Geological Survey (USGS) 3D Elevation Program (3DEP) will result in significantly improved protection and management of water, better recognition of hazards, improved management and discovery of energy and mineral resources, more efficient efforts in agriculture, landscape restoration, transportation, and construction, as well as tremendous improvement in the insights we all can have into our natural heritage.

We therefore urge Congress to fund 3DEP to at least the level recommended by the President. We are confident that doing so will be a wise investment that will bring returns far exceeding the expenditure.

[This statement was submitted by Jonathan D. Arthur, Ph.D., P.G., *President, AASG.*]

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PREPARED STATEMENT OF THE ASSOCIATION OF NAVAJO COMMUNITY CONTROLLED SCHOOL BOARD, INC.

The Association of Navajo Community Controlled School Board (ANCCSB), Inc. is an organization of 11 member school boards who operate federally funded schools on the Navajo Reservation in Arizona and New Mexico under contracts or grants from the Bureau of Indian Education (BIE).

We urge that the BIE school system be exempted from any further reductions in Federal spending, we highlight below four of the most pressing areas of need that directly impact our schools' educational programs, facilities, student transportation, and administrative management.

TRIBAL GRANT SUPPORT COSTS

Since the 1988 Elementary and Secondary Education Act reauthorization, tribally operated elementary and secondary schools have received funding for the administrative expenses incurred for the operation of BIE-funded schools through an Administrative Cost Grant, now called Tribal Grant Support Costs (TGSC). These funds are used for costs of essential services such as contract/grant administration; program planning and development; human resources; insurance; fiscal, procurement, and property management; required annual audits; recordkeeping; and legal, security and other overhead services.

*Impact.*—Since TGSC appropriations have historically been insufficient to meet the level of need without other sources of revenue, we must re-direct more and more funds from our education program budgets to cover essential administrative costs. Our schools must make difficult decisions—such as delaying purchase of new textbooks and other materials, paying non-competitive teacher salaries, reducing the number school days—to fit within these reduced budgets. Even with these cost-saving measures, some schools are still struggling with further reductions in management and business-office personnel at the risk of prudent internal controls and meeting the federally mandated requirements for fiscal processes and operation of education grants/programs. TGSC is forward-funded, so the fiscal year 2016 appropriation would provide TGSC funds for school year 2016–2017.

We are gratified that this year the administration proposes to follow through on commitments to pay full TGSC funding for all BIE-funded schools, and to include in its request sufficient funding for schools that are deciding to transition to grant or contract school status. Up until last year, schools had only received, at most, two-thirds of the TGSC needed to cover overhead costs. ANCCSB applauds this subcommittee's and the administration's decision to treat schools' support costs the same as contractors with the Bureau of Indian Affairs and the Indian Health Service.

*Request.*—We fully support the administration’s proposal that TGSC and startup costs be funded at \$75.34 million, and request that this subcommittee provide this level of funding for TGSC.

#### FACILITIES OPERATIONS AND MAINTENANCE

*Facilities Maintenance* funds are intended to provide for the preventative, routine, and unscheduled maintenance for all school buildings, equipment, utility systems, and ground structures. The fiscal year 2016 Facilities Maintenance request contains a \$10 million proposed increase, which is a marked improvement from its current level, but will not meet the needs of our schools or others. We are faced with rising costs of maintaining school buildings—particularly for the older facilities that make up much of the BIE schools.

There are numerous studies which attest to the fact that there is a close correlation between poor or inadequate facility conditions and poor student and staff performance. According to the administration’s fiscal year 2016 request, 42 of the 183 BIE-funded schools and dormitories (one-third) are still rated in “poor” condition in the Bureau’s Education Facility Condition Index (FCI). Further, the administration’s fiscal year 2016 request elaborates that there is \$377.1 million in deferred maintenance backlogs! It is clear that there is a long way to go with regard to upkeep of our schools. Part of the maintenance problem will be solved by replacing school wholesale, but Federal resources for this crucial need must increase so our schools buildings can make it to their replacement date.

*Facilities Operations* funding is for the ongoing operational expenses such as electricity, heating fuels, custodial services, communications, refuse collection, water and sewer service, grounds maintenance, etc. This budget category is also underfunded, with the latest estimates indicating that Federal funds provide only an estimated 46 percent of need. This is the first year the administration requests funds that will be over the recent high-water mark of \$59.4 million from fiscal year 2010, as the proposed budget contains \$66.1 million for Facilities Operations. However, this level is still only 60 percent of the need.

*Impact.*—Our schools are making every effort to make do with the meager facilities funding. Since we cannot delay paying our utilities or avoid taking actions that would impact student safety, we often have to resort to using our other education or academic program monies. We caution that insufficient funding for facilities maintenance and operations will mean delaying routine, as well as unscheduled, maintenance of buildings, equipment, utility systems and grounds—thereby jeopardizing student and staff safety. Attempts to moderate electrical and/or heating costs, or reduce custodial and refuse services and similar costs cutting measures would only make our already compromised learning conditions more uncomfortable and unhealthy for students and staff. If we cannot provide a decent learning environment, how can we expect our students to focus on achieving academic success?

*Request.*—To fully fund Facilities Maintenance would require \$76 million, and \$109.8 million would be needed to fully fund Facilities Operations.

#### STUDENT TRANSPORTATION

The Student Transportation account is intended to cover: (1) the costs of the daily bus services for children attending the BIE-funded elementary and secondary schools; and (2) air travel for children who attend distant boarding schools. School transportation costs include vehicle rental (buses, vans), maintenance and repair, fuel, and qualified bus driver salaries. The BIE budget justification states that students at BIE-funded schools travel 16 percent of their miles on unimproved roads, and that the BIE-funded schools have transportation routes where the mileage covered is “significantly higher than in metropolitan areas.”

For the schools located on the Navajo Reservation, the percentage of unimproved roads traveled by our buses is much higher and in some cases it can be as much as 90 percent. Further, these unpaved roads are often subject to becoming “washboards” due to adverse weather impacts such as mud and snow. At times these roads become impassable so we must resort to using 4-wheel drive vehicles to ferry the students to a waiting bus. There have been times, however, when even the 4-wheel vehicles cannot reach the students so they are prevented from making it to class through no fault of their own. These conditions take a tremendous toll on vehicles, resulting in greater maintenance and repair costs, and greatly increase student travel time as well as the drivers’ work day.

The administration must be aware of the enormous increases in costs over the past several years. Nonetheless, the administration seeks a paltry increase of \$197,000 in the proposed fiscal year 2016 budget. The administration’s proposal will

prevent our schools from making any forward progress on safely and reliably getting our children to school.

From our experience, the 66 BIE-funded schools on the Navajo Reservation must supplement our Student Transportation allocated amounts by at least \$70,000 to \$100,000 each year. The best estimates show that there is a \$21 million shortfall in funding for Student Transportation as the BIE has allowed funding to fall far behind need, and has been willing to allow schools to poach other school funds for transportation purposes. This, in the face of multiple challenges for schools at Navajo, including transporting students to/from evaluations to determine eligibility for Special Education services (when evaluators will not drive to our remote areas to conduct assessments), additional bus runs related to after-school academic services (many parents lack transportation or are not employed close-by to pick up children), and extra miles traveled around washouts or road hazards.

*Impact.*—As with the other program shortages, varied cost cutting measures have been instituted—from reducing the number of bus routes (resulting in longer rides for our students) to delaying vehicle replacements as long as possible. Nonetheless, underfunding Student Transportation will continue to adversely impact classroom programs since each year schools have no choice but to use scarce education program dollars to subsidize transportation costs.

*Request.*—We request that the subcommittee provide at least \$73 million for Student Transportation in the BIE system.

#### INDIAN SCHOOL EQUALIZATION FORMULA (ISEF)

The Indian School Equalization Formula (ISEF) is the core budget account for Educational and Residential programs of the BIE elementary and secondary schools and dormitories. These funds are used for instructional programs at BIE-funded schools and residential programs at dormitories, and include salaries of teachers, educational technicians, principals, and other school-level program administration, kitchen, and dormitory staff. The ISEF amount due to each school is determined by a statutorily mandated formula established by regulation (24 C.F.R. §§ 39.12(g)(1)–(2), 39.13, & 39.14).

During the eight-year period of fiscal year 2003 to fiscal year 2010, the ISEF account increased by almost \$45.5 million; but in only two (2) of those years—fiscal year 2009 and fiscal year 2010—the increase was actually an increase in program funding. For the other years, the requested increases were limited to amounts needed for fixed costs and related changes, as opposed to actual program increases. Funding for ISEF began to fall in fiscal year 2011, and the fiscal year 2015 level was actually \$5 million less than in fiscal year 2010.

*Impact.*—For most BIE-funded schools, the chronic shortfall in the other key school accounts has a negative impact on ISEF funding, because ISEF funds are often diverted to make up the shortfalls in other accounts such as Student Transportation, Facilities, and Tribal Grant Support Costs when a tribe or tribal school board has no other source of revenue to satisfy those shortfalls. This means fewer dollars are available for the education and residential programs.

*Request.*—The administration's proposal of \$391.8 million for ISEF restores the funding to fiscal year 2010 levels, but does not acknowledge the shortfalls that have been building for years. ANCCSB Members Schools respectfully request funding of ISEF at least \$431 million.

#### CONCLUSION

Thank you Chairman Calvert, Ranking Member McCollum, and members of this subcommittee for the opportunity to relay our needs to you.

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#### PREPARED STATEMENT OF THE ASSOCIATION OF PUBLIC AND LAND-GRANT UNIVERSITIES (APLU) BOARD ON NATURAL RESOURCES (BNR)

On behalf of the APLU Board on Natural Resources (BNR), we thank you for your support of science and research programs within the United States Geological Survey (USGS). We appreciate the opportunity to provide recommendations for the following programs within USGS: \$8.8 million for the Water Resources Research Institutes and \$18.6 million for the Cooperative Fish and Wildlife Research Units.

APLU BNR requests \$8.8 million for the Water Resources Research Institutes (WRRI). The APLU BNR request is based on the following: \$7,000,000 in base grants for the WRRI as authorized by section 104(b) of the Water Resources Research Act, including State-based competitive grants; \$1,500,000 to support activities authorized by section 104(g) of the Act, which is a competitive matching grants

program that addresses national and regional water issues and \$300,000 to support USGS administrative costs. Federal funding for the WRRRI program is the catalyst that moves States and cities to invest in university-based research to address their own water management issues. State WRRRI take the relatively modest amount of Federal funding appropriated, match it 2:1 with State, local and other funds and use it to put university scientists to work finding solutions to the most pressing local and State water problems that are of national importance. The Institutes have raised more than \$16 in other funds for every dollar funded through this program. The added benefit is that often research to address State and local problems helps solve problems that are of regional and national importance. Many of the projects funded through this program provide the knowledge for State or local managers to implement new Federal laws and regulations. Perhaps most important, the Federal funding provides the driving force of collaboration in water research and education among local, State, Federal and university water professionals. This program is essential to solving State, regional and inter-jurisdictional water resources problems. As USGS itself has stated: "The Water Institutes have developed a constituency and a program that far exceeds that supported by their direct Federal appropriations."

The institutes also train the next generation of water resource managers and scientists. Last year, these institutes provided research support for more than 1,400 undergraduate and graduate students at more than 150 universities studying water-related issues in the fields of agriculture, biology, chemistry, earth sciences, engineering and public policy. Institute-sponsored students receive training in both the classroom and the field, often working shoulder-to-shoulder with the top research scientists in their field on vanguard projects of significant regional importance.

In addition to training students directly, Water Resources Research Institutes work with local residents to overcome water-related issues. For example, the California Institute for Water Resources, like most of its peers, holds field days, demonstrations, workshops, classes, Webinars, and offers other means of education in an effort to transfer their research findings to as many users as possible. Outreach that succeeds in changing a farmer's approach to nitrogen application or reducing a homeowner's misuse of lawn treatments can reduce the need for restrictive regulation.

Below are some examples of work being done in various States:

- The current drought in California is creating serious economic hardship for agricultural producers and local communities. The University of California's (UC) California Institute for Water Resources (CIWR) has responded by creating an information hub that is being accessed by agricultural and urban interests to gain vital information on how to adapt during the drought. This hub contains valuable information from multiple units within the UC system. It also brings together information on workshops and seminars (many of which are and will be provided in video form on the Web). In 2014, UC promoted and hosted over 150 workshops and has more than 25 planned ([ciwr.ucanr.edu](http://ciwr.ucanr.edu)). The CIWR has also produced a Webinar series of short (15-minute) talks with useful information on irrigation practices, salinity management, landscape management and more.
- The Minnesota Water Resources Center has funded a number of research projects that address important, nationally relevant water resources issues with USGS/WRRRI funding over the last 4 years. This funding has been highly leveraged with university funds and the Minnesota Environmental Trust Fund. Researchers have addressed critical issues, including determining the biogeochemical variables that can be used to predict how much arsenic will get into groundwater used for drinking water, and determining the degree of antibiotic resistance in wastewater treatment plant effluent.
- Researchers with the Idaho Water Resources Research Institute have collaborated with Idaho Department of Water Resources scientists to develop technology for assessing crop-water usage over large areas using satellite based remote-sensing information. This technology is now used routinely within the Idaho Department of Water Resources for investigating and resolving water rights conflicts, for aquifer depletion modeling and for stream flow management. This technology is also being adopted by 10 western States and parts of Africa, Europe and Australia.

APLU BNR requests at least \$18.6 million for the Cooperative Fish and Wildlife Research Units (CRU). This program: (1) trains the next generation of fisheries and wildlife managers; (2) conducts research designed to meet the needs of unit cooperators; and (3) provides technical assistance to State, Federal and other natural resource managers. Originally established in the 1930s to provide training for students in fisheries and wildlife biology, the units were formally recognized by the Cooperative Units Act of 1960 (Public Law 86-686). The CRUs provide experience and

training for approximately 600 graduate students per year, a critical need as State and Federal workforces face unprecedented retirements over the next 5 to 10 years. The CRUs also provide valuable mission-oriented research for their biggest clients, the U.S. Fish and Wildlife Service and cooperating State agencies. Today, there are 40 Cooperative Research Units in 38 States.

Each unit is a true Federal-State-university-private sector collaboration in that it is a partnership between the U. S. Geological Survey, a State natural resources management agency, a host university, and the Wildlife Management Institute. For every \$1 the Federal Government puts into the program, \$3 more are leveraged through the other partners. The U.S. economy has long relied on the bountiful natural resources bestowed upon this land. Federal investment in the CRUs will be returned many times over through the training of future natural resource managers who will guide the Nation in sustainable use of our natural resources. The research conducted by CRU scientists directly supports the difficult management challenges faced by natural resources managers. The examples below demonstrate the value of the CRUs to wildlife issues with local and national importance.

—*Minnesota*: The Minnesota CRU is currently researching the olfactory sensitivity of Asian carps to putative sex pheromones. This work has recently received national attention, because Asian carps are an invasive species that threatens many of the Nation's freshwater native fishes through competition for food. The Minnesota CRU hopes to use the sex pheromones to attract and trap Asian carp, removing them permanently from the Nation's freshwater lakes and rivers. Minnesota CRU researchers are also studying human behavior, working to understand the motivations of agricultural producers enrolling in USDA water quality and wildlife habitat programs. They hope to gain insight into designing and developing programs, practices and messages that encourage broader participation in those programs.

—*Tennessee*: In 2011, an estimated 826,293 anglers fished in Tennessee, creating an economic impact of nearly \$1.3 billion for the State. The Tennessee CRU supports this economic driver by assessing fish stocks, working on recovery efforts for threatened and endangered species, providing research and technical assistance to support State decisions related to fishing. For example, research on sauger in the Tennessee River showed that minimum size requirements by the State were not leading to increased mortality of released fish below the minimum size. Their research also kept "stinger" hooks available for fishermen by showing they also did not contribute to increased mortality.

—*Oklahoma*: The Oklahoma CRU is celebrating its seventh decade of activity. Since opening in 1948, the graduate students that conducted research at the CRU have completed over 400 theses and dissertations. One on-going research project is to gather an accurate count of the black bear population expansion out of Arkansas and into eastern Oklahoma. Wildlife managers need this information for appropriate management of the bear population now that black bear hunting has been reintroduced in Oklahoma.

Based on the examples provided above, we urge you to support the Wildlife Cooperative Research Units and the Water Resources Research Institutes.

#### ABOUT APLU AND THE BOARD ON NATURAL RESOURCES

APLU's membership consists of 238 State universities, land-grant universities, State-university systems and related organizations. APLU institutions enroll more than 4.8 million undergraduate students and 1.3 million graduate students, award 1.2 million degrees, and conduct \$41 billion annually in university-based research annually. The Board's mission is to promote university-based programs dealing with natural resources, fisheries, wildlife, ecology, energy, and the environment. BNR representatives are chosen by their president's office to serve and currently number over 500 scientists and educators, who are some of the Nation's leading research and educational expertise in environmental and natural-resource disciplines.

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#### PREPARED STATEMENT OF THE ASSOCIATION OF STATE DRINKING WATER ADMINISTRATORS

The Association of State Drinking Water Administrators (ASDWA) respectfully submits the following recommendations for fiscal year 2016 appropriations on behalf of the drinking water programs in the fifty States, territories, District of Columbia, and Navajo Nation.

*Summary of Request:* ASDWA respectfully requests that, for fiscal year 2016, the subcommittee appropriate funding for three programs at levels commensurate with Federal expectations for performance; that ensure appropriate public health protec-

tion; and that will result in enhancing economic stability and prosperity in American cities and towns. ASDWA requests \$200 million for the Public Water System Supervision (PWSS) program; \$1.186 billion for the Drinking Water State Revolving Loan Fund (DWSRF) program; and \$10 million for State drinking water program security initiatives. A more complete explanation of the needs represented by these requested amounts and their justification follows.

OVERVIEW: THE IMPORTANCE OF SAFE DRINKING WATER FOR OUR COMMUNITIES AND THE ECONOMY & THE ROLE OF STATE DRINKING WATER PROGRAMS

States need increased Federal support to maintain public health protection and to support the needs of the water systems they oversee. State drinking water programs strive to meet the Nation's public health protection goals through two principal funding programs: the Public Water System Supervision Program (PWSS) and the Drinking Water State Revolving Loan Fund (DWSRF) Program. These two programs, with their attendant State match requirements, provide the means for States to work with drinking water utilities to ensure that American citizens can turn on their taps with confidence that the water is both safe to drink and the supply is adequate. In recent years, State drinking water programs have accepted additional responsibilities in the area of water system security that include working with all public water systems to ensure that critical drinking water infrastructure is protected; that plans are in place to respond to both natural and manmade disasters; and that communities are better positioned to support both physical and economic resilience in times of crisis.

Vibrant and sustainable communities, their citizens, workforce, and businesses all depend on a safe, reliable, and adequate supply of drinking water. Economies only grow and sustain themselves when they have reliable water supplies. Over 90 percent of the population receives water used for bathing, cooking, and drinking from a public water system—overseen by State drinking water program personnel. Even people who have their own private wells will visit other homes, businesses, and institutions served by a public water system. As important as public water systems are to the quality of the water we drink and our health, the majority of water produced by public water systems is used by businesses for a variety of purposes, including processing, cooling, and product manufacturing. The availability of adequate supplies of safe water is often a critical factor in attracting new businesses to communities. Public water systems—as well as the cities, villages, schools, and businesses they support—rely on State drinking water programs to ensure they are in compliance with all applicable Federal requirements and the water is safe to drink. Several recent incidents in the U.S. have led to illnesses, death, or prohibitions against use, due to unsafe drinking water. These have included deaths in several States due to microbiological contaminants; unsafe drinking water in Charleston, West Virginia for over a week due to an upstream chemical spill; and unsafe drinking water in Toledo, Ohio for over a day due to algal toxins. These incidents serve as stark reminders of the critical nature of the work that State drinking water programs do—every day—and the reason why State drinking water programs must be adequately funded.

STATE DRINKING WATER PROGRAMS: HOW THEY OPERATE, WHY SUPPORT IS NEEDED, AND JUSTIFICATIONS FOR REQUESTED AMOUNTS

*The Public Water System Supervision (PWSS) Program*

*How the PWSS Program Operates.*—To meet the requirements of the Safe Drinking Water Act (SDWA), States have accepted primary enforcement responsibility for oversight of regulatory compliance and technical assistance efforts for over 155,000 public water systems to ensure that potential health-based violations do not occur or are remedied in a timely manner. Over 90 contaminants are regulated in Federal drinking water regulations and the pace of regulatory activity has accelerated in recent years. Beyond the contaminants covered by Federal drinking water regulations, States are also implementing an array of proactive initiatives to protect public health from “source to tap.” These include source water assessments and protections for communities and watersheds; technical assistance for water treatment and distribution for challenged utilities; and enhancement of overall water system performance. In recent years, States have also taken on an increasingly prominent role in working with Federal and local partners to help ensure sufficient water quantity. In short, State activities go well beyond simply ensuring compliance at the tap—and, States perform all of these tasks more efficiently and cheaply than would be the case if the program were federally implemented. Well supported State drinking water programs are a good deal for America.



*Why Adequate Support is Needed.*—Simply put, State drinking water programs are extremely hard pressed financially and the funding gap continues to grow. States must accomplish all of the above-described activities—and take on new responsibilities—in the context of a challenging economic climate. State funding has historically compensated for inadequate Federal funding, but State budgets have been less able to bridge this funding gap in recent years. State drinking water programs have often been expected to do more with less and States have always responded with commitment and integrity but they are currently stretched to the breaking point. Insufficient Federal support for this critical program increases the likelihood of contamination events that puts the public's health at risk. \$101.9 million was appropriated for the PWSS program in fiscal year 2015 and the administration requested only \$109.7 million in fiscal year 2016 (or, on average, a paltry \$2 million per State per year). These amounts are woefully inadequate for the enormity of the task faced by State drinking water programs. We believe, based on our rigorous assessment of every State's need (in a report we released in January 2014), that at least twice that amount is needed. Inadequate Federal funding for State drinking water programs has a number of negative consequences. Many States are simply unable to implement major provisions of the newer regulations, leaving the work undone or ceding the responsibility back to EPA, which is also challenged by the Agency's own resource constraints and lack of "on the ground" expertise. States also want to offer the flexibilities allowed under existing rules to local water systems. However, fewer State resources mean less opportunity to work one-on-one with water systems to meet their individual needs. This situation has created a significant implementation crisis in several regions of the country and is ultimately delaying or hampering implementation of critically needed public health protections.

*For the PWSS Program in fiscal year 2016, ASDWA Respectfully Requests \$200 million.*—The number of regulations requiring State implementation and oversight as well as performance expectations continue to grow while at the same time, the Federal funding support necessary to maintain compliance levels and meet expectations has been essentially "flat-lined." Inflation has further eroded these inadequate funding levels. The recommended amount is based on ASDWA's aforementioned January 2014 resource needs report and begins to fill the above-described resource gap. These funds are urgently needed for implementing new drinking water rules, taking on a number of other new initiatives, and to account for the eroding effects of inflation. We further recommend that Congress not allow any Federal funds already appropriated to State drinking water programs to be rescinded.

#### THE DRINKING WATER STATE REVOLVING LOAN FUND (DWSRF) PROGRAM

*How the DWSRF Program Operates.*—Drinking water in the U.S. is among the safest and most reliable in the world, but it is threatened by aging infrastructure. Through loans provided by the DWSRF, States help water utilities overcome this threat. The historical payback to the DWSRF on this investment has been exceptional. In the core DWSRF program, \$17.7 billion in cumulative Federal capitalization grants since 1997 have been leveraged by States into over \$28 billion in infrastructure loans to small and large communities across the country. Such investments pay tremendous dividends—both in supporting our economy and in protecting our citizens' health. States have very effectively and efficiently leveraged Federal dollars with State contributions to provide assistance to more than 10,000 projects, improving health protection for millions of Americans. The U.S. Conference of Mayors estimates that each public dollar invested in water infrastructure increases private long-term Gross Domestic Product output by \$6.35. An important feature of the DWSRF program is States "set-aside" funds and another key reason for adequately funding this critical program. States can reserve up to 31 percent of these funds for a variety of critical tasks, such as shoring up the technical, managerial, and financial capacity of public water systems. Set-asides are thus an essential source of funding for States' core public health protection programs and these efforts work in tandem with infrastructure loans.

*Drinking Water Infrastructure Investment is Well below the Documented Need.*—The American Society of Civil Engineers gave the Nation's drinking water infrastructure a D+ grade and EPA's most recent National Drinking Water Infrastructure Needs Survey (2011) indicated that drinking water system infrastructure needs total \$384 billion over the next 20 years. The American Water Works Association recently estimated that 20 year need at \$1 trillion (which more fully accounted for more of the water distribution system replacement costs). Investment is needed for aging treatment plants, storage tanks, pumps, and distribution lines that carry water to our Nation's homes, businesses and schools. The DWSRF must continue to be a key part of the solution to the Nation's infrastructure crisis.

*For the DWSRF Program in fiscal year 16, ASDWA respectfully requests \$1.186 billion.*—States were very encouraged by the \$1.387 billion appropriated for the DWSRF in fiscal year 2010 but have been disappointed by the subsequent downward trend—\$963 million in fiscal year 2011, \$919 million in fiscal year 2012, \$854 million for fiscal year 2013 (a figure not seen since 2006), and, a somewhat better \$907 million in fiscal year 2014 and fiscal year 2015. The primary purpose of the DWSRF is to improve public health protection by facilitating water system compliance with national primary drinking water regulations through the provision of loans to improve drinking water infrastructure. Water infrastructure is needed for public health protection as well as a sustainable economy, as explained above. In light of these indicators of success and documented needs, we believe funding at the \$1.186 billion level—the level requested in the President’s fiscal year 2016 budget—will better enable the DWSRF to meet the SDWA compliance and public health protection goals for which it was designed.

#### STATE DRINKING WATER SECURITY PROGRAMS

*State Drinking Water Security Responsibilities.*—State drinking water programs are critical partners in emergency planning, response, and resiliency at all levels of government. In fact, States are typically the critical nexus between Federal and local levels officials in emergency situations. State primacy agencies provide key resources and critical support—regardless of whether the emergency is rooted in terrorism, natural disasters, or cyber intrusions. States continually work toward integrating security considerations throughout all aspects of their drinking water programs.

*State Drinking Water Security Funds Are Urgently Needed.*—After 7 years of Congressional support for State security programs through a small grant of approximately \$5 million in EPA’s appropriations (from fiscal year 2002 through fiscal year 2008), no funds have been provided for this purpose since fiscal year 2009 and none are requested by the administration for fiscal year 2015. It is very difficult to understand why this small, but essential grant to States has been zeroed out of EPA’s proposed budget and why Congress has not supported State drinking water security programs. State drinking water programs urgently need funds to continue to maintain and expand their security activities, particularly in partnership with small and medium public water systems.

*For State Drinking Water Security Programs in fiscal year 16, ASDWA Respectfully Requests \$10 million.*—Given the realities and the lessons learned from recent catastrophic events such as Hurricane Sandy in New York and New Jersey; tornados in central Oklahoma; wildfires and floods in Colorado; and continuing drought in California and Texas—to name but a few—State drinking water programs are working more closely than ever with their water utilities to evaluate, assist, and support drinking water systems’ preparedness, response, and resiliency capabilities. States continue to expand their efforts to reflect a resilient, “all hazards” approach to water security and to assist public water systems of all sizes—with a particular focus on smaller water systems that most need help.

*Conclusion.*—ASDWA respectfully recommends that the Federal fiscal year 2016 budget needs for States’ role in the provision of safe drinking water be adequately funded by Congress. A strong State drinking water program supported by the Federal-State partnership will ensure that the quality of drinking water in this country will not deteriorate and, in fact, will continue to improve—so that the public can be assured that a glass of water is safe to drink no matter where they travel or live. States are willing and committed partners. However, additional Federal financial assistance is needed to meet ongoing and ever growing regulatory, infrastructure, and security needs. In 1996, Congress provided the authority to ensure that the burden would not go unsupported. For fiscal year 2016, ASDWA asks that the promise of that support be realized.

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#### PREPARED STATEMENT OF THE ASSOCIATION OF ZOOS AND AQUARIUMS

Thank you Chairwoman Murkowski and Ranking Member Udall for allowing me to submit written testimony on behalf of the Nation’s 215 AZA-accredited zoos and aquariums. Specifically, I want to express my support for the inclusion of \$11,100,000 for the Multinational Species Conservation Funds (MSCF) operated by the U.S. Fish and Wildlife Service and \$11,000,000 for National Environmental Education Act programs at the Environmental Protection Agency (EPA) in the fiscal year 2016 Interior, Environment, and Related Agencies appropriations bill.

Founded in 1924, the Association of Zoos and Aquariums (AZA) is a nonprofit 501(c)(3) organization dedicated to the advancement of zoos and aquariums in the

areas of conservation, education, science, and recreation. AZA-accredited zoos and aquariums annually see more than 180 million visitors, collectively generate more than \$17 billion in annual economic activity, and support more than 165,000 jobs across the country. Annually, AZA-accredited institutions spend \$160,000,000 on more than 2,650 field conservation projects in 130 countries.

MSCF programs support public-private partnerships that conserve wild tigers, elephants, rhinos, great apes, and marine turtles in their native habitats. Through the MSCF programs, the United States supplements the efforts of developing countries that are struggling to balance the needs of their human populations and endemic wildlife. MSCF programs help to sustain wildlife populations, address threats such as illegal poaching, reduce human-wildlife conflict, and protect essential habitat. By working with local communities, they also improve people's livelihoods, contribute to local and regional stability, and support U.S. security interests in impoverished regions. This Federal program benefits AZA-accredited zoos and aquariums in their field conservation efforts and partnerships with the U.S. Fish and Wildlife Service.

I also encourage you to continue to support the valuable environmental education initiatives at the EPA. Education programs at AZA-accredited institutions provide essential learning opportunities, particularly about science, for schoolchildren in formal and informal settings. Studies have shown that American schoolchildren are lagging behind their international peers in certain subjects including science and math. In the last 10 years, accredited zoos and aquariums formally trained more than 400,000 teachers, supporting science curricula with effective teaching materials and hands-on opportunities. School field trips annually connect more than 12,000,000 students with the natural world. Increasing access to formal and informal science education opportunities has never been more important.

Finally, much of the important conservation work at accredited zoos and aquariums depends on a robust and fully staffed U.S. Fish and Wildlife Service. While I am aware of the budget challenges facing Congress and the agencies, I encourage you to ensure that the U.S. Fish and Wildlife Service has sufficient resources to employ qualified professionals, particularly for the programs handling permits, which support the science-based conservation breeding and wildlife education programs that require animals to be moved in an efficient, timely manner: International Affairs (Management Authority), Endangered Species, Law Enforcement, and Migratory Birds.

AZA-accredited zoos and aquariums are essential conservation and education partners at the Federal, State, and local levels domestically as well as internationally. To ensure that AZA-accredited zoos and aquariums can continue to serve in these important roles, I urge you to include \$11,100,000 for the Multinational Species Conservation Funds operated by the U.S. Fish and Wildlife Service and \$11,000,000 for National Environmental Education Act programs at the Environmental Protection Agency in the fiscal year 2016 Interior, Environment, and Related Agencies appropriations bill.

Thank you.

[This statement was submitted by Jim Maddy, *President and CEO*.]

#### PREPARED STATEMENT OF THE BLACK MESA COMMUNITY SCHOOL

My name is Lorraine Yazzie, and I serve on the Board of the Black Mesa Community School, located in a remote mountainous area, 26 miles North of Pinon, Arizona. We are a community grant school, and have an enrollment of nearly 60 students in grades K-8th. Our community is small, but the Black Mesa Community School lies at the center of it, providing a space not only for children to learn, but for parents to participate alongside them.

I testify during a time of both upheaval and promise in education for both Navajo and other Indian students. This subcommittee has shown an admirable commitment to Native schools with your recognition of needs in both program funding and facilities. The administration has paid more attention to the issue of Indian education in the last 2 years than ever before, and has recognized the need to finish work on the now 11-year-old school replacement list. However, we recognize that with increased attention come new priorities and strategies, which could enhance our students' educational opportunities and safety or which could adversely impact our small community school depending on how these priorities are implemented. We submit this testimony with strong hope that our concerns will be considered and that through a partnership between the Congress, administration, tribes and schools we will succeed in improving Indian education policy by better addressing the needs of Native students.

Our recommendations can be summarized as follows:

- Increase ISEP funding to \$431 million in fiscal year 2016.
- Fund Student Transportation at \$73 million, and BIA road maintenance at \$40 million.
- Fully fund Tribal Grant Support Costs and Fund Technology Improvements as proposed by the administration.
- Provide \$109 million for facilities operation and \$76 million for facilities maintenance.
- Embark on a comprehensive 60-year plan for school replacement and upkeep.
- Protect school funding from the proposed Federal bureaucratic expansion.

#### 1. Increase Funding for Indian School Equalization Programs

The most critical stream of funding for community grant schools like ours is increased funding in the Indian School Equalization Program (ISEP). The ISEP funds are those that schools use for their day to day operation, whether that is paying teachers and staff, purchasing curriculum and supplies, or running student programs.

For years our ISEP funds have had to cover shortfalls due to the significant underfunding of grant support costs, facilities operations and maintenance, and school transportation. Thus, our need to use ISEP funds to paying utilities to ensure our students have heat or to repair one of our school buses has meant that we cannot provide retirement benefits to teachers and we must rely on part-time workers to perform vital staff services. The need for increases in our available ISEP funding is essential to attract and retain teachers for our school, since we are remote and some teachers find a small school environment challenging. We do not want to be in the situation where we are left only with those teachers who cannot find a job elsewhere.

We also need teachers with the capacity to provide culturally appropriate bilingual education consistent with requirements of the Navajo Department of Education. We have seen important student performance successes thanks to bilingual and cultural education programs, but have no additional funding sources for training, curriculum development, teacher certification and professional development. ISEP funding increases are vital to enhancing learning opportunities for all of our students through the training, development and retention of excellent teachers.

The subcommittee should be aware that due to funding limitations, year-after-year we have also been forced to go without a school nurse or any security personnel. Because ambulance service and law enforcement is more than 3 hours away, our school staff members are the first responders in our community. Additional ISEP funding is necessary so that we can employ a school nurse and security personnel. Inadequate funding for these positions must be corrected so that our small size and remote location does not make our students vulnerable.

This year, we are gratified to see the administration has requested \$391.8 million for ISEP funding, an increase of \$5 million to the program. This will be an important improvement that we fully support. We also stress that ISEP is our schools' lifeblood, and we are still struggling to make up for losses in past years. We encourage the subcommittee to consider the National Congress of American Indians' (NCAI) recommendation of \$431 million for ISEP funding.

#### 2. Increase Funding for Student Transportation

One of our school's largest challenges is getting our children to school and back home. Our community is at high altitude, and our weather takes a toll on our roads. In turn, our roads take a toll on our school buses, particularly the computer sensors and electrical systems that are not designed for the punishing road conditions our buses face. Maintenance costs for our vehicles are higher than average for this reason and because maintaining our buses requires long transport trips to garages in Flagstaff and Gallup which are 150 and 170 miles away, respectively. Furthermore, although we have the ability to perform many bus maintenance activities on site, we do not have the funding resources to meet the numerous Federal environmental requirements applicable to those maintenance activities. With funds stretched so thin, we struggle to get our students to extracurricular activities such as sports or field trips that students at non-Indian schools enjoy as an everyday convenience. The administration has requested \$53.14 million for student transportation, but that is simply not enough given the challenges of our roads and equipment. We request at least \$73 million for student transportation in the BIE system.

We also request that this subcommittee fund BIA road maintenance at a sustainable level. For example, we had to cancel school on February 25–27 and March 2, March 3, March 5, and March 6 because our roads were impassable—and we only had a half day on March 4. The condition of our roads is directly affecting our stu-

dents' ability to learn. The administration has only requested an increase of \$232,000 to the meager \$26.5 million budget for road maintenance. We echo NCAI's recommendation that the subcommittee appropriate \$40 million for road maintenance in fiscal year 2016.

3. We support the President's proposal to fully fund Tribal Grant Support Costs and Increase Technology Resources.

Tribal Grant Support Costs (TGSC) (formerly known as Administrative Cost Grants) are the BIE analogue to Contract Support Costs, and are necessary for community grant schools like Black Mesa to operate their schools. Not only do the TGSC funds pay for the administration of the school, but also fund all indirect costs like payroll, accounting, insurance, background checks and other legal, reporting, and recordkeeping requirements. TGSC is also critical in order for schools to comply with the increasingly burdensome reporting requirements imposed by BIE and to comply with grant funding assurances, such as the extensive and costly measures required by the Environmental Protection Agency (EPA).

Black Mesa School wishes to underscore the importance of TGSC for small schools like ours. Although our student population and staffing numbers may be smaller than others, the administrative responsibilities that we must meet are the same as those of large schools. As a result, these administrative duties disproportionately affect us. This year, the administration has proposed to fully fund TGSC. Black Mesa Community School welcomes this important change, and applauds this subcommittee's and the administration's decision to treat schools' support costs the same as contractors with the BIA and the Indian Health Service. We support the administration's proposal that TGSC and startup costs be funded at \$75.34 million.

Additionally, our limited Internet connectivity and no qualified computer technician requires members of our staff to travel 4 hours roundtrip on a weekly basis to obtain suitable Internet service to submit our school's required progress reports (Native STAR school improvement planning) and facilities management information system (FMIS). Our schools technology needs, only a daily basis, financial transaction/data (MIP Accounting software program), student information system (NASIS), transportation program, environmental compliance through the environmental management system (EMS), food service compliance through State Department of Education and related electronic sharing/reporting (i.e. fund drawdowns from ASAP/SAM, Clearinghouse to report our audits, etc.). Given our dependence on inadequate satellite Internet access and the increasing importance of Internet-based technologies in the classrooms and administration, we also fully support the President's call to expand access to broadband and other communications infrastructure and technology with a computer technician in every school.

4. Our schools need full funding for Facilities Operation and Maintenance.

The condition of BIE-funded schools has been the subject of national news attention for years. Some schools in the country are forced to teach their students in converted bus barns or go without hot water. We do the best we can with our facilities at Black Mesa School, but constantly struggle with the fact that we do not have enough funding for maintenance of our buildings, utilities, and every day repairs.

The effective operation of our facilities is vital not only for the learning readiness and comfort of our students, but also to protect their health and safety. It is hard to learn and progress if you're too cold, or if the lights are dim or flickering. In the last year it was reviewed, the BIA listed our school condition as "poor" with a deferred maintenance backlog of over three-quarters of a million dollars. Our backlog has only grown in the intervening 4 years, and our students are the ones who suffer as a result. Our facilities face significant budgetary challenges, especially as EPA compliance requirements must be given priority attention to avoid citations. Meanwhile, because Facilities Operation and Maintenance funding for BIE schools is allocated based upon square footage, our small school receives insufficient funds to meet Federal environmental compliance requirements while also covering immediate health, safety and maintenance needs.

We appreciate that the administration has finally moved to complete the replacement of schools on a list dated from 2004, but we need to stress that these needs are ongoing. Further, it is critical for our schools to have the funds to maintain and thus lengthen the useful life of our facilities. We support the BIE's request for school construction, but request that funding for facilities operation and maintenance be increased to \$109 million for operations and \$76 million for maintenance. This will help us meet our ongoing needs, and will set us on the path to catching up with deferred maintenance from past years.

We also note that the completion of the 2004 school replacement list means that a new round of replacements will begin. We encourage this subcommittee and BIE

to work together with schools and tribes to establish a comprehensive, long-term plan for school construction and maintenance. We call on the subcommittee to embark on a 60-year schools replacement plan with adequate funding to maintain buildings throughout their life. Recent testimony from the Government Accountability Office reported that even new construction is starting to fail due to inappropriate maintenance or poor construction oversight. Our school wants to protect the Federal investment in our students' education, and we ask the subcommittee to empower local communities to do so by removing and streamlining the bureaucratic hurdles in the facilities management system.

##### 5. Protecting School Funding and Programs from Federal Expansion

You have heard over the last year from us and other schools about our concerns with the BIE's "Blueprint for Reform" and its "One-Grant Initiative." We do not doubt the administration's commitment to Native students or improving the education outcomes at Indian schools—even the President himself has commented on the issue. We have a different perspective on what will be the best strategies to use to achieve that goal and we fear that our views are not being heard.

Without delving into the detail of the Blueprint for Reform and the Secretarial Order that accompanied it in June of last year, we urge the limited amounts of new funding proposed by the President be directed to the community school level, not the BIE bureaucracy. Accordingly, we request that the subcommittee reprogram funds the administration has proposed for bureaucratic reforms (like those contained in the "Enhancement" line item of the budget) to ISEP and Facilities. Any funding for the BIE's internal reforms must come from outside the Indian budget realm—our funds are scarce as is, and must not be diverted away from students.

Thank you for the opportunity to submit testimony.

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PREPARED STATEMENT OF JOHN BRADLEY AND REBECCA BRADLEY OF NEWARK,  
CALIFORNIA

Dear Senators Feinstein and Boxer and Members of the Senate Appropriations Subcommittee on Interior, Environment and Related Agencies:

We urge you to support the President's 2016 budget request for \$508.2 million for the National Wildlife Refuge System's Operations and Maintenance account. For too many years now our National Wildlife Refuge System has been operating on a shoestring budget, trying diligently to respond to infrastructure maintenance needs, and working heroically with insufficient number of staff to provide us and our children with quality interpretation, environmental education, habitat protection and restoration, and access to wildlife.

We urge you to reauthorize and fully fund the Land and Water Conservation Fund at \$900 million per year, and provide \$173.8 million of such funding in fiscal year 2016 for procurement of conservation easements and refuge in-holdings. We believe that we should be able to maintain existing infrastructure and run quality operations, and at the same time increase the number of acres that are protected for wildlife habitat by investing in conservation easements and purchasing land from willing sellers at fair market value.

We ask you along with our local and county governments to appropriate \$60 million for the National Wildlife Refuge Fund in fiscal year 2016, which offsets losses in tax revenue because lands owned by the Federal Government are exempt from property taxes. At the same time we are encouraged by the annual reporting that confirms the value which refuges provide to communities in economic terms, based on the spending patterns of citizens and others who visit refuges. Refuges are not only great for wildlife, they're often an asset to local economies. This is another reason why we think it is important to maintain infrastructure and services.

Finally, we will plead with you and all your Senate colleagues, to pass a "clean" Appropriation bill, free from policy riders such as removing the Service's authority to establish new refuges administratively. This authority has been used by the executive department in a non-partisan way to establish 90 percent of all existing National Wildlife Refuges. It seems to us that appropriations bills are intended to address the annual monetary needs of our executive department, and are not meant to formulate or revise policy issues or prior legislation. We think such riders can be very distracting, counter-productive, and detrimental to responsible, efficient legislation and governance.

We appreciate the opportunity to provide input into the appropriations process and try to make a difference for the natural heritage we all hold dear.

## PREPARED STATEMENT OF THE BRISTOL BAY AREA HEALTH CORPORATION

The requests of the Bristol Bay Area Health Corporation for the fiscal year 2016 Indian Health Service (IHS) budget and our comments on BIA Recognition are as follows:

- Allocate at least an additional \$12.5 million to the IHS to fully fund Village Built Clinic (VBC) leases and make it a line item in the budget.
- Active support of the subcommittee to change Contract Support Costs funding to a mandatory funded basis.
- Increased IHS behavioral healthcare funding.
- Funding for built-in costs.
- Department of Interior recognition of Knugank.

The Bristol Bay Area Health Corporation (BBAHC) was created in 1973 to provide healthcare services to Alaska Natives of Southwest Alaska. BBAHC began operating and managing the Kanakanak Hospital and the Bristol Bay Service Unit for the IHS in 1980, and was the first tribal organization to do so under the Indian Self-Determination and Education Assistance Act (ISDEAA). BBAHC is a co-signer to the Alaska Tribal Health Compact with the IHS under the ISDEAA and is now responsible for providing and promoting healthcare to the people of 34 Alaska Native Villages.

## VILLAGE BUILT CLINICS

In our Bristol Bay region, our Village Built Clinic (VBC) facilities continue to face a significant funding crisis. The VBCs are essential for maintaining our Community Health Aide/Practitioner (CHAP) programs in our villages. The CHAP program provides the only local source of healthcare for our Alaska Native people.

Because the CHAPs could not operate in most of rural Alaska without clinic facilities in the Alaska Native villages, the IHS established the VBC leasing program in the 1970s, but the leases have been chronically underfunded. Moreover, IHS has taken the position that VBCs—unlike comparable facilities in the lower 48—are not eligible for maintenance and improvement funding, for which Congress appropriated over \$53.6 million in fiscal year 2015. Current funding for the VBCs is not sufficient to cover the cost of repair and renovation as necessary to maintain the facilities in a safe condition. Many have been closed due to the hazards to the health service employees and patients, leaving villages without a clinic or access to CHAP services. Lease rental amounts for VBCs have failed to keep pace with costs; the majority of leases have not increased since 1989.

A very recent estimate is that \$12.5 million more per year, in addition to the current VBC allocation from IHS of about \$4 million, would be needed to maintain and operate Alaska VBCs on a par with similar tribal health facilities elsewhere. Congress typically has not appropriated VBC funding as a separate line item. Instead, IHS allocates VBC lease funds from the Hospitals and Clinics line in its multi-billion-dollar lump-sum appropriation. This leaves IHS the discretion, in its view, to allocate however much—or little—it wishes to VBCs. Congress, of course, can override this discretion. We respectfully request that you direct IHS to (1) identify the amount needed to fully fund all Alaska VBCs, (2) request that amount in a separate line in the IHS budget, and (3) allocate that amount to the VBC lease program.

## CONTRACT SUPPORT COSTS MANDATORY FUNDING

We support the administration's proposal to fund Contract Support Costs (CSC) on a mandatory basis, although we urge, along with many other tribes and tribal organizations, that Congress enable it to become effective with fiscal year 2016. The administration's proposal differs from our and others in Indian Country proposal that CSC be funded indefinitely and not capped, but we gratefully acknowledge this proposal as a huge step for the administration. We are hopeful that the \$718 million proposed for CSC funds for IHS will be sufficient for full funding for fiscal year 2016—a lot of work has gone into the estimated calculation and that should bode well for future estimates as well.

We so appreciate your support for full funding of CSC and your blunt statement accompanying the fiscal year 2014 appropriations act that the legal obligation to fully fund CSC had put the House and Senate Committees in the "untenable position of appropriating discretionary funds for the payment of any legally obligated contract support costs."

We ask for your active help in working with the Budget Committee and others in Congress who may want to weigh in on this proposal for mandatory CSC funding. You have had a great deal of experience in talking with Indian and Alaska Native leaders over the years about the frustrations and the inequity of tribes and tribal

organizations who contract to assume administration of Federal programs not being paid for the costs to administer them. We know that member to member communications are of the utmost importance and you have much to offer others in Congress who will impact this proposal.

#### BEHAVIORAL HEALTH/SOCIAL SERVICES FUNDING

Alaska faces particular hardships in providing for our communities' behavioral and mental health needs. BBAHC has only one social service employee. There is a dire need for more prevention funding for suicide intervention as well as alcohol and substance abuse prevention, particularly for our youth. Alaska has twice the national rate of suicide, and ranks second in the Nation in suicide attempts requiring hospitalization. Alaska Native teens commit suicide at a rate nearly six times that of non-Native teenagers. Compounding and complicating the suicide epidemic is alcohol and substance abuse, a mental health disorder. The overwhelming majority of the people we lose to suicide suffer from diagnosable, treatable mental health or substance abuse problems. However, the waiting list for treatment averages nearly 9 months, and due to lack of funding there is often no place to refer people, particularly young people.

Thus we urge you to support the administration's Generations Indigeneous (or "Gen-I") proposal for increased resources for tribes to address youth behavioral, mental health and substance abuse and auxiliary issues. For the IHS, the Gen-I proposal would include a \$25 million increase in Substance Abuse Prevention account for additional behavioral health staff and for youth-focused programs. For the BIA the proposal is an increase of \$15 million to expand the Tiwahe Initiative designed to address the inter-related problems of poverty, violence and substance abuse faced by Native communities. Of note, but not under this subcommittee's jurisdiction, is the request for a \$25 million increase for SAMHSA as part of Gen-I—\$10 million from the Mental Health account and \$15 million from the Substance Abuse Prevention account.

#### BUILT-IN COSTS

We appreciate the administration's fiscal year 2016 request of \$147.3 million for built-in costs consisting of \$71.2 million for medical inflation at a 3.8 percent rate; \$19.4 million for a 1.3 percent pay raise; and \$56.7 million to partially fund population growth (\$70.3 million needed for full funding according to IHS) and urge Congress to fund this request.

Built-in costs are often sacrificed in the budget negotiation process, but lack of them impacts all programs. Inflation—medical and non-medical; required pay raises, and population growth are real facts of life and affect our ability to provide sufficient healthcare services.

While for fiscal year 2015 the administration requested \$63 million for medical inflation and \$2.6 million to partially fund pay raises, the final bill provided only \$2.6 million for pay raises (estimated cost is \$20 million) but no other built-in costs. For fiscal year 2014 the only IHS built-in costs included in the appropriations act was \$35 million for medical inflation for the Purchased/Referred Care program. In fiscal year 2013 the only built-in costs provided was \$1.7 million for a pay raise the Commissioned Corps program, and fiscal years 2011 and 2012 appropriations acts were similarly bleak in terms of built-in costs funding. The cumulative effect of underfunding of built-in costs takes a toll.

#### KNUGANK RECOGNITION

We bring to your attention the efforts to get the Department of Interior to correct the omission of Knugank (which is in the Bristol Bay region) from the list of federally recognized tribes. We are supporting Knugank in this effort and are hopeful this situation will be corrected soon although there has been a series of delays in issuing a decision.

In a January 2012 letter to Senator Murkowski, the Assistant Secretary of Indian Affairs explained that Knugank could be added to the list of recognized tribes if it meets the standards established by Congress in Section 1 of the Alaska Amendment to the Indian Reorganization Act (25 U.S.C. § 473a). Several months later, the office of the Assistant Secretary agreed to evaluate Knugank's extensive documentation, and based on the statutory standards, issue a decision regarding Knugank's eligibility to be included on the list of recognized tribes. Several times we have been told that a decision (which we believe will be favorable to Knugank) is imminent and that all needed information has been provided. It appears that, despite the significant investments made over the course of many years by BBAHC, Knugank, Members of Congress and the Agency to resolve this matter, the Offices of the Solicitor



and Assistant Secretary now seem unable to find the time to take the final steps to finalize a decision. We and our attorneys are in frequent communication with the Offices of the Solicitor and Assistant Secretary and can tell you that delays at this point are not about serious questions, but are due to an unwillingness to give the issue the attention it deserves.

Knugank should be immediately added to the list of federally recognized tribes, affirming their eligibility to organize as a tribe under the standards and precedent established by the Alaska Amendment to the Indian Reorganization Act, thus allowing them their rightful government-to-government status and access to an array of Federal resources.

#### OTHER

There is no room within the page limits to comment on every major issue of importance to us but want you to know that we join others in full support of extending the Special Diabetes Program for Indians, for establishment of Medicare-like Rates for non-hospital services thus stretching our Purchased/Referred Care dollars, and, as Congress has done for the Veterans Administration medical accounts, providing funding to IHS on an advance appropriations basis so that may have better lead time for our planning, budgeting, and purchasing processes and for our recruitment of personnel.

Thank you for your consideration of our concerns and needs.

[This statement was submitted by Robert J. Clark, *President/CEO*.]

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#### PREPARED STATEMENT OF THE CENTRAL ARIZONA PROJECT

On behalf of the Central Arizona Water Conservation District (CAWCD), I encourage you to include \$1.5 million for salinity specific projects in the Bureau of Land Management's (BLM) Soil, Water and Air Program in fiscal year 2016. This funding will help protect the water quality of the Colorado River that is used by approximately 40 million people for municipal and industrial purposes and used to irrigate approximately 4 million acres in the United States.

CAWCD manages the Central Arizona Project, a multi-purpose water resource development and management project that delivers Colorado River water into central and southern Arizona. The largest supplier of renewable water in Arizona, CAP diverts an average of over 1.6 million acre-foot of Arizona's 2.8 million acre-foot Colorado River entitlement each year to municipal and industrial users, agricultural irrigation districts, and Indian communities.

Our goal at CAP is to provide an affordable, reliable and sustainable supply of Colorado River water to a service area that includes more than 80 percent of Arizona's population.

These renewable water supplies are critical to Arizona's economy and to the economies of Native American communities throughout the State. Nearly 90 percent of economic activity in the State of Arizona occurs within CAP's service area. CAP also helps the State of Arizona meet its water management and regulatory objectives of reducing groundwater use and ensuring availability of groundwater as a supplemental water supply during future droughts. Achieving and maintaining these water management objectives is critical to the long-term sustainability of a State as arid as Arizona.

#### NEGATIVE IMPACTS OF CONCENTRATED SALTS

Natural and man-induced salt loading to the Colorado River creates environmental and economic damages. EPA has identified that more than 60 percent of the salt load of the Colorado River comes from natural sources. The majority of land within the Colorado River Basin is federally owned, much of which is administered by BLM. Human activity, principally irrigation, adds to salt load of the Colorado River. Further, natural and human activities concentrate the dissolved salts in the River.

The U.S. Bureau of Reclamation (Reclamation) has estimated the current quantifiable damages at about \$382 million per year to U.S. users with projections that damages would increase to more than \$600 million by 2035 if the program were not to continue. These damages include:

- a reduction in the yield of salt sensitive crops and increased water use to meet the leaching requirements in the agricultural sector;
- increased use of imported water and cost of desalination and brine disposal for recycling water in the municipal sector;

- a reduction in the useful life of galvanized water pipe systems, water heaters, faucets, garbage disposals, clothes washers, and dishwashers, and increased use of bottled water and water softeners in the household sector;
- an increase in the cost of cooling operations and the cost of water softening, and a decrease in equipment service life in the commercial sector;
- an increase in the use of water and the cost of water treatment, and an increase in sewer fees in the industrial sector;
- a decrease in the life of treatment facilities and pipelines in the utility sector; and
- difficulty in meeting wastewater discharge requirements to comply with National Pollutant Discharge Elimination System permit terms and conditions, and an increase in desalination and brine disposal costs due to accumulation of salts in groundwater basins.

Adequate funding for salinity control will prevent the water quality of the Colorado River from further degradation and avoid significant increases in economic damages to municipal, industrial and irrigation users.

#### HISTORY OF THE BLM COLORADO RIVER BASIN SALINITY CONTROL PROGRAM

In implementing the Colorado River Basin Salinity Control Act of 1974, Congress recognized that most of the salts in the Colorado River originate from federally owned lands. Title I of the Salinity Control Act deals with the U.S. commitment to the quality of waters being delivered to Mexico. Title II of the Act deals with improving the quality of the water delivered to users in the United States. This testimony deals specific with Title II efforts. In 1984, Congress amended the Salinity Control Act and directed that the Secretary of the Interior develop a comprehensive program for minimizing salt contributions to the Colorado River from lands administered by BLM.

In 2000, Congress reiterated its directive to the Secretary and requested a report on the implementation of BLM's program (Public Law 106-459). In 2003, BLM employed a Salinity Coordinator to increase BLM efforts in the Colorado River Basin and to pursue salinity control studies and to implement specific salinity control practices. With a significant portion of the salt load of the Colorado River coming from BLM administered lands, the BLM portion of the overall program is essential to the success of the effort. Inadequate BLM salinity control efforts will result in significant additional economic damages to water users downstream.

The threat of salinity continues to be a concern in both the United States and Mexico. On November 20, 2012, a 5-year agreement, known as Minute 319, was signed between the U.S. and Mexico to guide future management of the Colorado River. Among the key issues addressed in Minute 319 included an agreement to maintain current salinity management and existing salinity standards. The CAWCD and other key water providers are committed to meeting these goals.

#### CONCLUSION

Implementation of salinity control practices through BLM program has proven to be a very cost effective method of controlling the salinity of the Colorado River. In fact, the salt load of the Colorado River has now been reduced by roughly 1.2 million tons annually, reducing salinity in the Lower Basin by more than 100 ppm. However, shortfalls in funding levels have led to inefficiencies in the implementation of the overall program. Therefore, additional funding is required in 2014 to meet this goal and prevent further degradation of the quality of the Colorado River with a commensurate increase in downstream economic damages.

The current drought that has significantly impacted the West affects the amount of and quality of available water, which in turn has the potential to exacerbate the salinity concentration levels. In addition to initiatives such as the Drought Response program and WaterSMART Grants, adequate funding for salinity control will prevent water quality of the Colorado River from further degradation and ensure the availability of supplies for future generations.

CAWCD urges the subcommittee to include \$1.5 million for salinity specific projects in the BLM's Soil, Water and Air Program. If adequate funds are not appropriated, significant damages from the higher salt concentrations in the water will be more widespread in the United States and Mexico.

## PREPARED STATEMENT OF THE CHIPPEWA OTTAWA RESOURCE AUTHORITY

## I. SUMMARY

The Chippewa Ottawa Resource Authority (CORA), on behalf of its five member Indian tribes, requests \$54,463,464 in recurring base funding from the Department of Interior's fiscal year 2016 appropriation bill, to support tribal natural resource management programs pursuant to two recently enacted Consent Decrees and support for all intertribal resource management organizations under "Evaluation and Research Activities—Climate Change".

CORA is a coalition of five federally recognized Michigan tribes including, the Bay Mills Indian Community, the Grand Traverse Band of Ottawa and Chippewa Indians, the Little River Band of Ottawa Indians, the Little Traverse Bay Bands of Odawa Indians, and the Sault Ste Marie Tribe of Chippewa Indians.

The tribes are parties to the historic *United States v. Michigan*, a court case concerning the exercise of treaty-reserved fishing, hunting, and gathering rights as they pertain to Article 13 of the 1836 Treaty of Washington. Article 13 states that the tribes "stipulate for the right of hunting on the lands ceded, with the other usual privileges of occupancy, until the land is required for settlement."

## II. GREAT LAKES CONSENT DECREE (2000)

In 1979, following nearly a decade of litigation in State and Federal courts (*United States v. Michigan*), the Federal district court affirmed the existence of treaty-reserved fishing rights in the upper Great Lakes of Michigan. These court rulings also determined that the tribes could regulate and manage their respective members' fishing activities. Accordingly, the tribes have developed the biological, enforcement, and judicial programs necessary to properly protect and manage the Great Lakes fishery resource while continuing to exercise commercial and subsistence fishing activities.

While these court decisions recognized that the tribes' right to utilize the Great Lakes fishery resource was in fact reserved in the 1836 Treaty of Washington, the allocation of fishing opportunities among competing user groups, and the inter-jurisdictional management authority was not addressed. Subsequently, the seven parties to *U.S. v. Michigan*, which included the five CORA tribes, the State of Michigan, and the United States initiated negotiations in the early 1980's that culminated in a 15-year court-ordered settlement in 1985. In 2000, the parties successfully renegotiated a comprehensive agreement that will govern allocation and management of the Great Lakes fishery resource through the year 2020. This agreement was entered into Federal court as a Consent Decree on August 8, 2000.

The Great Lakes Consent Decree was a complex agreement that imposed many new management obligations on the parties, particularly the tribes. Recurring base funding levels for each tribe were established prior to adoption of the 2000 Great Lakes Consent Decree; however, since 2001, CORA has been annually requesting a modest increase in base funding to help the tribes accomplish the extensive mandates imposed by the Great Lakes Decree, and to offset over a decade of inflation.

## III. INLAND CONSENT DECREE (2007)

In the early 2000's, the parties to *U.S. v. Michigan*, strongly desired to settle the Inland portion of the case through a joint agreement, rather than contentious and costly litigation, such as occurred during the Great Lakes phase. After some 2 years of complex negotiations, the parties were successful in negotiating an agreement that resolved the question of Inland treaty rights. This agreement was also entered into Federal law as a Consent Decree on November 2, 2007 and has no expiration date. Similar to the Great Lakes Consent Decree, it describes the allocation, management, and enforcement processes that will govern the tribes' Inland (i.e. non-Great Lakes) treaty-reserved hunting, gathering, and fishing rights throughout nearly 14 million acres in northern Michigan. As with the Great Lakes Decree the Federal Government is a signatory party.

The 2007 Inland Consent Decree is a comprehensive and complex document that resolves the final phase of *U.S. v. Michigan*. In order to achieve an agreement of this scope and magnitude, the CORA tribes made many concessions, assumptions, sub-agreements, and politically difficult changes in their natural resource harvesting activities and associated management structures, including the forfeiture of commercial opportunities. The Inland Consent Decree also establishes many new obligations and responsibilities for all parties. For the tribes, these responsibilities are heavily weighted toward development of regulations, biological monitoring and assessment, enforcement of the newly enacted regulations, and numerous inter-governmental processes; all of which impose a substantial and permanent financial bur-

den for the tribes and of which Congress has provided initial dollars for the implementation of tribal programs.

In order to meet the obligations mandated by the Inland Consent Decree, while providing for long-term sustainable use of the resources for the next seven generations, each of the tribes will need to establish a management capability in several core areas, including Conservation Enforcement, Biological Monitoring and Assessment, Tribal Court, and Administration. These dollars will assist with establishing management programs for each tribe under the 2007 Consent Decree to ensure that the tribes can meet their obligations.

#### IV. FUNDING REQUEST JUSTIFICATION

Clearly, both the Great Lakes and Inland Consent Decrees represent landmark accomplishments in resolving disputes related to rights reserved in treaties between the United States and Indian tribes. These two Decrees cover the geographic majority of the State of Michigan and its Great Lakes waters; however, the viability and success of both the Great Lakes Decree and the new Inland Consent Decree hinges on the ability of all the parties (tribal, State, and Federal) to deliver effective resource management programs—and the onus is on the tribes.

In order to properly meet the responsibilities and mandates associated with both the Great Lakes and Inland Consent Decrees, CORA requests funding for the following activities:

- Maintain and provide the current recurring base funding for continued operation under the Great Lakes Consent Decree.
- Maintain newly enacted recurring base funding level to support programs necessary for implementation of the 2007 Consent Decree.

After making such landmark, long-term commitments, it is imperative that the tribes not be placed in a position where inadequate funding prohibits them from meeting their obligations, responsibilities, and opportunities under either the Inland or Great Lakes Consent Decrees. Adequate funding is absolutely critical to achieving the objectives and responsibilities described in both Consent Decrees; agreements that were designed to resolve complicated and culturally significant Treaty Rights issues. Moreover, failure to meet mandated obligations risks a “re-opening” of these negotiated agreements or, at a minimum, modifying certain terms of either Decree in a manner that would adversely affect the tribes’ ability to exercise their treaty-reserved rights, or upset the delicate balance of allocation and management strategies among the parties, which of course, includes the Federal Government as a party. The CORA member tribes appreciate the initial dollars received which will assist with implementation of the 2007 Inland Consent Decree.

#### V. DISTRIBUTION OF FISCAL YEAR 2016 FUNDING REQUEST AMONG CORA TRIBES

On behalf of CORA and its five member tribes, I would like to thank you for your past financial support, and request your continued support in fiscal year 2016 in maintaining CORA’s current base funding for Great Lakes activities, and maintaining the newly enacted recurring base funding for implementing CORA’s responsibilities under the Inland Consent Decree.

#### VI. EVALUATION AND RESEARCH ACTIVITIES—CLIMATE CHANGE

The CORA tribes respectfully request your support for fiscal year 2016 RPI funding for all intertribal resource management organizations for the Climate Change line item and to provide to CORA its proportionate share of those funds. That amount is \$398,464.00.

#### 2000 GREAT LAKES CONSENT DECREE

| CORA Member Tribe                 | 2014 Great Lakes | Great Lakes Increase<br>(\$14,000)<br>Requested Increase<br>(Fiscal Year 2015) | Total Request<br>(Fiscal Year 2016) |
|-----------------------------------|------------------|--|-------------------------------------|
| Bay Mills .....                   | \$845,430        | \$2,800  | \$848,230                           |
| Little Traverse .....             | 650,900          | 2,800  | 653,700                             |
| Little River .....                | 650,900          | 2,800  | 653,700                             |
| Sault Ste. Marie (OSG Base) ..... | 151,885          | 2,800  | 154,685                             |
| Grand Traverse (OSG Base) .....   | 151,885          | 2,800  | 154,685                             |
| Totals .....                      | 2,451,000        | 14,000   | 2,465,000                           |

## 2007 INLAND CONSENT DECREE

|                        |           |
|------------------------|-----------|
| Bay Mills .....        | \$320,000 |
| Little Traverse .....  | 320,000   |
| Little River .....     | 320,000   |
| Sault Ste. Marie ..... | 320,000   |
| Grand Traverse .....   | 320,000   |
| Total .....            | 1,600,000 |

## OSG CUMULATIVE BASE, WHICH IS NOT PART OF THE RIGHTS PROTECTION DISTRIBUTIONS

| Self-Governance Tribe             | Chippewa/Ottawa Treaty Voigt<br>Non-TPA |
|-----------------------------------|---|
| Sault Ste. Marie (OSG Base) ..... | \$633,607                               |
| Grand Traverse (OSG Base) .....   | 616,832                                 |
| Subtotal .....                    | 1,250,439                               |

Evaluation and Research Activities—Climate Change—CORA Tribes—\$398,464

## PREPARED STATEMENT OF THE CHOCTAW NATION OF OKLAHOMA

Good morning to distinguished members of this subcommittee and a special congratulation to new members, Messrs. Derek Kilmer and Steve Israel. Thank you for inviting the Choctaw Nation of Oklahoma to present oral testimony on the fiscal year 2016 President's proposed budgets for the Indian Health Service (IHS) and the Bureau of Indian Affairs (BIA). I submit this testimony which identifies the funding priorities and budget issues important to the Choctaw Nation and its citizens.

This is a very important subcommittee for American Indians and Alaska Natives because you determine just how much funding will be appropriated for the Bureau of Indian Affairs and the Indian Health Service to support basic essential services for Indian people to fulfill the United States' trust responsibility. While there have been increases in both agencies over the past decade, tribal programs remain underfunded and tribes are expected to do more with less. We incurred the wrath of cuts from the 2013 sequester and we were hit with additional cuts in 2014 and 2015 to fully pay Contract Support Costs (CSC). We remain resilient and are optimistic that the fiscal year 2016 President's budget proposal will address the long-term fix for CSC and bring attention to the forefront regarding the lack of budget equity for tribal program funding that has persisted for far too long. We want to rebuild our faith in the government-to-government relationship that we have invested in for many generations—but partnerships involve more than one party to make it happen!

We recommend the following:

## INDIAN HEALTH SERVICE

1. Joint Venture Program—Increase President's request to \$100 million.
2. Special Diabetes Program for Indians—Reauthorize for 5 years at \$200 million/year for 5 years.

## INDIAN HEALTH SERVICE AND BUREAU OF INDIAN AFFAIRS

1. Contract Support Costs—Fully fund in 2016 and shift into mandatory funding beginning in 2017 with 3-Year Spending Authority.
2. Exempt tribal government services and program funding from sequestrations, unilateral rescissions and budget cuts.
3. Provide funding increases—Office of Tribal Self-Governance (IHS) and the Office of Self-Governance (DOI) to fully staff to support the number of tribes entering Self-Governance.

The Choctaw Nation of Oklahoma is the third largest Native American tribal government in the United States, with over 208,000 members. The Choctaw Nation territory consists of all or part of 10 counties in southeast Oklahoma, and we are proudly one of the State's largest employers. The Nation operates numerous programs and services under Self-Governance compacts with the United States, including but not limited to: a sophisticated health system serving over 33,000 patients with a hospital in Talihina, Oklahoma, nine (9) outpatient clinics, referred specialty care and sanitation facilities construction; higher education; Johnson O'Malley pro-

gram; housing improvement; child welfare and social services; law enforcement; and, many others. The Choctaw Nation has operated under the Self-Governance authority in the Department of the Interior (DOI) since 1994 and in the Department of Health and Human Services' IHS since 1995. As a Self-Governance tribe, the Nation is able to re-design programs to meet tribally specific needs without diminishing the United States' trust responsibility. Self-Governance is now a permanent reality for many tribes.

In 2014 the Choctaw Nation of Oklahoma was designated one of the five, and the only tribal, Promise Zones in the United States. The initiative will enhance cooperation between Federal agencies, local government branches, community advocates and the Choctaw Nation to focus on key areas that will contribute to economic growth and revitalize opportunities for a better quality of life in southeastern Oklahoma.

#### JOINT VENTURE CONSTRUCTION PROGRAM—INCREASE PRESIDENT'S REQUEST TO \$100 MILLION

The Joint Venture Construction Program (JVCP) is a unique opportunity for the Indian Health Service to partner with tribes and make scarce Federal dollars stretch much farther than in the traditional Federal construction programs. The President's proposed level of \$18 million will not support the intent of the JVCP and should be increased to \$100 million at a minimum. Tribes have taken on great risks in financing the construction of new or replacement facilities. These risks are taken with a commitment from the IHS to fund necessary staffing and operating costs upon completion of facility construction. Failure to fund staffing and operating costs in a sufficient and timely manner leaves tribes without the means to safely operate these facilities, compromising their ability to service loan agreements while jeopardizing the health and safety of our entire communities.

In 2014 the Choctaw Nation applied for and was awarded a JVCP for a new Regional Health Care Facility in Durant, Oklahoma. There are no IHS facilities in the County and the 2014 estimated user population is 6,939 with projected primary provider visits of almost 29,000 which speak volumes to the need. The Nation will design, construct, and equip the new facility consisting of 123,780 sq. ft. (11,500 sq. m) in size and it will be operated under the Nation's Self-Governance Agreement.

Upon projected completion of construction the IHS agrees to request congressional appropriations for additional staffing and operations based on the tribes' projected dates of completion, beneficial occupancy and opening. Another key element to a successful JVCP partnership is full payment of Contract Support Costs (CSC). Without reimbursement of Contract Support Cost, offsetting program reductions must be made and services reduced. Upon entering into an agreement the IHS should include staffing and Contract Support Costs in the IHS annual appropriations requests to ensure that the facility can open and begin operations as planned.

#### SPECIAL DIABETES PROGRAM FOR INDIANS—SUPPORT 5-YEAR REAUTHORIZATION AT \$200 MILLION/YEAR

The Special Diabetes Program for Indians (SDPI) has been a top priority for the Choctaw Nation since it was initially authorized in 1997. SDPI is currently reauthorized through March 31, 2015 at a flat-line rate of \$150 million/year (since 2004). Continuing support of the SDPI will maintain critical momentum in diabetes research and care to help bring diabetes-related costs under control. The permanency of SDPI would be a great asset to promoting stability for this important health program and for reversing the trend of Type 2 diabetes in Indian Country. In addition it will provide for staff retention, programmatic long-term planning which increases and improves patient care, and more stable outside contracts with vendors and suppliers.

Congressional funding remains the critical factor in the battle against diabetes and we request that as we continue to work for permanent authorization and mandatory program status, that you urge your colleagues to extend the reauthorization to 5 years and increase funding to \$200 million/year for the SDPI program.

#### CONTRACT SUPPORT COSTS—FULL FUNDING FOR BIA AND IHS IN 2017 WITH 3-YEAR REAUTHORIZATION

Full funding of contract support costs in the fiscal year 2014 and fiscal year 2015 budgets was timely and appreciated, however it was at a price that severely impacted tribal program funding in both the Bureau of Indian Affairs (BIA) and the IHS. The Choctaw Nation supports the President's fiscal year 2016 budget proposal which bears the likes of a two-prong conundrum: (1) obtaining fair compensation for past CSC shortfalls; and (2) ensuring full CSC funding for all contracts or Self-Gov-

ernance compacts to manage programs previously administered by the Department of the Interior and Department of Health and Human Services. The law is very specific, “Tribes contracting and compacting under the Indian Self-Determination and Education Assistance Act (ISDEAA) are entitled to full Contact Support Costs.”

Today, we find ourselves at a place that many thought was not in the foreseeable future. However, a long-term proposed fix to fully fund CSC is underway. Over the years, both the BIA and IHS established CSC workgroups, consisting of tribal and Federal representatives, to work on resolving the CSC shortfall and to develop strategies to fully fund CSC. While many tribes have settled their CSC claims in IHS, it was an onerous and costly exercise for most of us.

The Choctaw Nation engaged in negotiations with the IHS and because of the recalcitrance of the agency representatives, we had to engage legal counsel. The CSC shortfall due Choctaw was reduced to 75 percent after we incurred the legal cost, 25 percent, to get through the negotiations. The unfortunate part for the tribe is that the total amount paid by IHS was the “original” full CSC shortfall amount due to the Nation. However because of the haranguing and lack of facilitating in good-faith on behalf of the United States, the Nation did not receive the full 100%—simply put because we had to pay legal fees which should have been spent on services for tribal citizens.

The BIA has been just as asinine. The Choctaw Nation cannot settle our claim because “not all tribes [17]” have negotiated their settlement and the agency is withholding ALL of the payments to avoid incurring overpayments to tribes. So rather than settle and close claims with tribes at the table, BIA has put a hold on payments unless settlements for all tribes have been negotiated. There is nothing in the law that allows the agency to withhold funds. Tribes continue to bear the brunt of their ineptness at math and their unwillingness to follow the intent of Congress and fully implement the law to pay ALL CSC claims.

The Choctaw Nation asks that Congress directs the BIA and IHS to enter into these negotiations with the honor and respect intended by Congress and not to invoke its own judgement during these proceedings. Lawyers should not be factored into the government-to-government relationship that is between tribal governments and the United States.

#### EXEMPT TRIBAL GOVERNMENT SERVICES AND PROGRAM FUNDING FROM SEQUESTRATIONS

The Choctaw Nation requests that Congress exempts ALL tribal programs from future sequestrations, unilateral rescissions and budget cuts. American Indian and Alaska Natives are the most at risk population in the United States and we do not rebound from extreme cuts, such as the 2013 sequestration, in a few years because our programs are disproportionately underfunded. Traditionally, tribes have borne an unfair share of the budget deficits to our healthcare systems, law enforcement, education and essential governmental services, just to name a few. Sequestration reneges on the United States contract with tribal governments and cripples services and benefits to our citizens.

We are continually subjected to the broken and empty promises by our Federal trustees. We ask the United States to step up and honor the agreements and treaties between our great Nations and protect the funding of Native American programs.

The Choctaw Nation supports the budget requests of the National Congress of American Indians and the National Indian Health Board. Thank you.

PREPARED STATEMENT OF THE CHOOSE CLEAN WATER COALITION

MARCH 4, 2015

Hon. LISA MURKOWSKI, *Chair,*  
*Subcommittee on Interior, Environment and Related Agencies,*  
*S-128 Capitol,*  
*U.S. Senate,*  
*Washington, DC.*

Hon. TOM UDALL, *Ranking Minority Member,*  
*Subcommittee on Interior, Environment and Related Agencies,*  
*S-146A Capitol,*  
*U.S. Senate,*  
*Washington, DC.*

Dear Chair Murkowski and Ranking Member Udall:

As members of the Choose Clean Water Coalition, we are requesting continued support for programs that are essential to maintaining and restoring clean water to the rivers and streams throughout the Chesapeake Bay region, and to the Bay itself. More than 11 million people in this region get their drinking water directly from the rivers and streams that flow through the cities, towns and farms throughout our region. The quality of this water is critical to both human health and to the regional economy.

The efforts to clean the Chesapeake began under President Reagan in 1983. In his 1984 State of the Union speech President Reagan said, "Preservation of our environment is not a liberal or conservative challenge, it's common sense."

To follow a common sense path to maintain healthy local water and restore Chesapeake Bay, which is critical for our regional economy, we request funding for the following programs in fiscal year 2016:

#### U.S. ENVIRONMENTAL PROTECTION AGENCY

##### *Chesapeake Bay Program—\$73.0 million*

We support level funding of \$73.0 million for the base budget of the Chesapeake Bay Program, which coordinates Chesapeake Bay watershed restoration and protection efforts. The majority of the program's funds are passed through to the States and local communities for on-the-ground restoration work through programs such as the Small Watershed Grants, Innovative Nutrient and Sediment Reduction Grants, State Implementation Grants, and the Chesapeake Bay Regulatory and Accountability Program grants.

We strongly oppose the \$6 million cuts to the Chesapeake Small Watershed Grants and the Innovative Nutrient and Sediment Reduction Grants that are in the President's 2016 budget request. Much of this money is proposed to be reallocated from on-the-ground restoration at the local level to personnel costs; contract support for permit reviews, rule implementation and enforcement; and the revision of 25 management strategies.

We urge you to retain the critical funding for both the Chesapeake Small Watershed Grants Program and the Innovative Nutrient and Sediment Reduction Grants—\$6 million each. These are two well-run, competitive grant programs that have contributed significantly to water quality improvements throughout the Chesapeake Bay watershed. These are the Bay Program's only grants that go to restoration efforts by local governments and communities. The President's budget offers no justification for the cuts and acknowledges that cutting these two grant programs "... will reduce the number of restoration projects that watershed groups and local governments will be able to implement to reduce nutrient and sediment pollutant loadings to the Bay and its tributaries." This is not the time to stop local implementation of restoration work.

We strongly support the language in last year's 2015 Consolidated and Further Continuing Appropriations Act, where Congress protected these critical local grant programs: "The bill provides \$73,000,000. From within the amount, the Committees direct \$6,000,000 for nutrient and sediment removal grants and \$6,000,000 for small watershed grants to control polluted runoff from urban, suburban and agricultural lands, and include no further directives." We urge you to retain the same language in the fiscal year 2016 Interior, Environment and Related Agencies Appropriations Bill.

##### *Clean Water State Revolving Fund (SRF) —\$1.448887 billion*

This program is critical to the 1,779 local governments throughout the Chesapeake region. The funding level has eroded over the years as the clean water needs of local communities have increased dramatically, but Congress has stabilized this important program for the past few years and we urge you to do so again in fiscal year 2016. These low interest loans are critical for clean water and for ratepayers in the Chesapeake region and nationwide. We urge you to support the same funding level as fiscal year 2015 that provided \$312 million in low interest loans to local governments in Delaware, Maryland, New York, Pennsylvania, Virginia, West Virginia and the District of Columbia. The President's 2016 budget request would cut \$73.748 million from those six Chesapeake watershed States and the District of Columbia—a drastic 23.6 percent cut. The SRF allocates money to the States based on a set formula, which is then used for low interest loans to local governments for critical capital construction improvement projects to reduce nutrient and sediment pollution from wastewater treatment and stormwater facilities; nonpoint sources of pollution, such as farms and development; and other sources. The SRF enables local governments in the Chesapeake watershed to take actions to protect their local waters to meet Clean Water Act requirements. As the list of clean water infrastructure



needs in the Chesapeake region continues to expand we request that the Clean Water SRF not be cut in 2016.

#### DEPARTMENT OF THE INTERIOR

##### *U.S. Geological Survey (USGS)—Chesapeake Bay Studies—\$11.689 million*

We support the President's 2016 budget request of \$11.689 million for the USGS to provide the critical science necessary for restoration and protection efforts in the Chesapeake Bay region, and to implement the 2014 Chesapeake Watershed Agreement. This includes \$500,000 to collect land-elevation data needed for water-quality and sea-level rise investigations. This would allow the USGS to systematically collect and manage high-quality elevation data for the eastern shore of the Chesapeake Bay—in Delaware, Maryland and Virginia. The results will help the Chesapeake Bay Program to develop high-resolution, land-cover information to more effectively place conservation practices to improve water quality and help conserve healthy watersheds.

The USGS will focus on: (1) understanding the factors affecting freshwater fisheries and streams, including the effects of shale-gas drilling; (2) identifying sources and effects of endocrine-disrupting compounds and other contaminants that threaten fisheries and wildlife; (3) modeling the effects of sea-level rise on coastal wetlands near wildlife refuges important for waterfowl; (4) forecasting the effects of land and climate change to inform land conservation; and (5) monitoring and explaining water-quality response to reduce nutrient and sediment reduction practices.

##### *National Park Service—Chesapeake Regional Programs—\$3.036 million*

The National Park Service Chesapeake Bay Office runs a number of small, but very important programs that focus on increasing public access and the use of ecological, cultural and historic resources of the Chesapeake region. Expanding access and public awareness fosters stewardship and protection efforts.

The key programs in the President's fiscal year 2016 budget request that we support are: Chesapeake Bay Gateways and Trails (\$2,014,000); Captain John Smith Chesapeake National Historic Trail (\$387,000); Star Spangled Banner National Historic Trail (\$151,000); and, support for coordinating these programs through the National Park Service Chesapeake Bay Office (\$484,000).

#### DEPARTMENT OF THE INTERIOR/U.S. DEPARTMENT OF AGRICULTURE

##### *National Park Service/U.S. Fish and Wildlife Service/Bureau of Land Management/U.S. Forest Service—Rivers of the Chesapeake Collaborative Landscape Planning Projects—Land and Water Conservation Fund—\$33.326 million*

We support the President's 2016 budget that calls for the strategic use of funds for the Land and Water Conservation Fund, and for the first time, requests funding for the Rivers of the Chesapeake Collaborative Landscape Planning initiative. This new effort targets conservation funds for priority landscapes throughout the country—and the Rivers of the Chesapeake is one of eight such priority areas. These projects will enhance public access and education, preserve key historic and heritage sites, conserve forests, and protect important freshwater and tidal habitat areas critical to migratory birds and economically important fish and shellfish.

#### Bureau of Land Management

Nanjemoy National Resource Management Area (MD)—\$191,000\*  
 Nanjemoy National Resource Management Area (MD)—\$465,000  
 Meadowood Special Recreation Management Area (VA)—\$2.4 million\*

#### U.S. Fish and Wildlife Service

Blackwater National Wildlife Refuge (MD)—\$1.511 million\*  
 Blackwater National Wildlife Refuge (MD)—\$1.9 million  
 Rappahannock River National Wildlife Refuge (VA)—\$1.6 million\*  
 Rappahannock River National Wildlife Refuge (VA)—\$3.89 million  
 James River National Wildlife Refuge (VA)—\$950,000

#### U.S. Forest Service

George Washington/Jefferson National Forests (VA)—\$1.99 million\*  
 George Washington/Jefferson National Forests (VA)—\$2.7 million  
 George Washington/Jefferson National Forests (WV)—\$3.0 million

## National Park Service

Captain John Smith Chesapeake National Historic Trail (DC/DE/MD/VA)—  
\$2.237 million\*  
Captain John Smith Chesapeake National Historic Trail (DC/DE/MD/VA)—  
\$5.178 million  
Appalachian National Scenic Trail (VA)—\$3.0 million  
Cedar Creek and Belle Grove National Historic Park (VA)—\$500,000  
Fredericksburg and Spotsylvania National Military Park (VA)—\$1.814 million

\* Indicates projects with Current/Discretionary Authority.

*National Park Service —Land Protection in Maryland and Pennsylvania through the  
Land and Water Conservation Fund—\$856,000*

We support the President's 2016 budget that calls for the strategic use of funds from the Land and Water Conservation Fund to protect and preserve key assets in the National Park System at Gettysburg National Military Park (\$285,000) in Pennsylvania and Piscataway Park (\$571,000) in Maryland. These projects will enhance public access and education, preserve key historic and heritage sites and protect key habitat areas critical to an array of fish and wildlife species. Both of these projects have Current/Discretionary Authority.

Thank you for your consideration of these very important requests to maintain funding for these programs which are critical to clean water throughout the mid-Atlantic region.

Sincerely,

1000 Friends of Maryland  
American Rivers  
Anacostia Watershed Society  
Audubon Naturalist Society  
Blue Heron Environmental Network,  
Inc.  
Blue Water Baltimore  
Blue Ridge Watershed Coalition  
Cacapon Institute  
Cecil Land Use Association  
Center for the Celebration of Creation  
Chapman Forest Foundation  
Chesapeake Bay Foundation  
Chesapeake Legal Alliance  
Chesapeake Wildlife Heritage  
Clean Water Action  
Delaware Nature Society  
Earth Forum of Howard County  
Eastern Pennsylvania Coalition for  
Abandoned Mine Reclamation  
Environment America  
Environment Maryland  
Environment New York  
Environment Virginia  
Float Fishermen of Virginia  
Friends of Lower Beaverdam Creek  
Friends of the Rappahannock  
Friends of the Rivers of Virginia  
Interfaith Partners for the Chesapeake  
Izaak Walton League of America  
James River Association  
Lackawanna River Corridor Association  
Lancaster Farmland Trust  
Little Falls Watershed Alliance  
Loudoun Wildlife Conservancy  
Maryland Academy of Science at the  
Maryland Science Center  
Maryland Conservation Council  
Maryland League of Conservation Voters  
Mattawoman Watershed Society

Midshore Riverkeeper Conservancy  
National Parks Conservation Association  
National Aquarium  
National Wildlife Federation  
Natural Resources Defense Council  
Nature Abounds  
PennEnvironment  
PennFuture  
Pennsylvania Council of Churches  
Pennsylvania Council of Trout Unlimited  
Piedmont Environmental Council  
Port Tobacco River Conservancy  
Potomac Conservancy  
Potomac Riverkeeper  
Prince William Conservation Alliance  
Queen Anne's Conservation Association  
Richmond Audubon Society  
Rivanna Conservation Society  
Riverkeepers Chesapeake  
Rock Creek Conservancy  
St. Mary's River Watershed Association  
Savage River Watershed Association  
Severn River Association  
Shenandoah Riverkeeper  
Shenandoah Valley Network  
Sidney Center Improvement Group  
Sierra Club, Maryland Chapter  
Sleepy Creek Watershed Association  
South River Federation  
Susquehanna Gateway Heritage Area  
Trash Free Maryland Alliance  
Trout Unlimited  
Upper Susquehanna Coalition  
Virginia Conservation Network  
West/Rhode Riverkeeper  
West Virginia Highlands Conservancy  
West Virginia Rivers Coalition  
Wicomico Environmental Trust  
Wild Virginia

## PREPARED STATEMENT OF THE CHUGACH REGIONAL RESOURCES COMMISSION

My name is Patty Brown-Schwalenberg. As Executive Director of the Chugach Regional Resources Commission ("CRRC"), located in Alaska, I am pleased to submit this testimony reflecting the needs, concerns and requests of CRRC regarding the proposed fiscal year 2016 budget. Like everyone, we are aware of the ongoing economic problems in the United States, and the growing concern over the Federal deficit. While the Government is trimming its spending, the Federal Government must still fulfill its legal and contractual spending obligations. The Bureau of Indian Affairs not only has a legal and contractual obligation to provide funding for the CRRC, but the CRRC is able to translate this funding into real economic opportunity for those living in the small Alaska Native villages located in Prince William Sound and Lower Cook Inlet.

We describe first, our specific requests and recommendations on the budget, and then why these are so important to us and the Alaska Native Villages and their members who we serve.

## BUDGET REQUESTS AND RECOMMENDATIONS

*CRRC funding.*—We are once again very pleased that the BIA has recognized the importance of natural resource funding for CRRC and has requested at least \$410,000 for CRRC in fiscal year 2016 as part of the Trust-Natural Resources program, Tribal Management/Development subactivity. In its fiscal year 2016 Budget Justification, the BIA recognized CRRC's role in developing the capabilities of its member Alaska Native Villages to better facilitate their active participation in resource use and allocation issues in Alaska. We urge the subcommittee to include CRRC funding as proposed by the BIA.

*BIA Trust-Natural Resources Management.*—We support the President's overall proposal to increase the BIA's Trust—Natural Resources Management programs, particularly the increases to Fish, Wildlife and Parks, and funding for projects that engage youth in the natural sciences and climate resiliency initiatives. We urge the subcommittee to support this funding and include it in the final bill.

*Contract Support Costs.*—In regards to Contract Support Costs, we fully support the administration's proposal to fully fund Contract Support Costs.

## JUSTIFICATION FOR CRRC'S BUDGET REQUESTS

The importance of adequate funding for these programs is based on the following.

*Chugach Regional Resource Commission History and Purpose.*—CRRC is a non-profit coalition of Alaska Native Villages, organized in 1987 by the seven Native Villages located in Prince William Sound and Lower Cook Inlet in south-central Alaska: Tatitlek Village IRA Council, Chenega IRA Council, Port Graham Village Council, Nanwalek IRA Council, Native Village of Eyak, Qutekcak Native Tribe, and Valdez Native Tribe. CRRC was created to address environmental and natural resources issues and to develop culturally sensitive economic projects at the community level to support the sustainable development of the region's natural resources. The Native Villages' action to create a separate entity demonstrates the level of concern and importance they hold for environmental and natural resource management and protection—the creation of CRRC ensured that natural resource and environmental issues received sufficient attention and focused funding. The BIA, in its Budget Justification, summarizes CRRC's work, stating

Initially, the emphasis of the CRRC natural resource program was on the development of fisheries projects that would provide either an economic base for a village or create economic opportunities for tribal members. In fiscal year 1996, CRRC initiated a natural resource management program with the objective of establishing natural resource management capabilities in the villages to facilitate their active participation in resource use and allocation issues that affect the tribes and their members. The success of these programs from both an economic and a social standpoint have made them an integral part of overall tribal development.

Through its many important programs, CRRC has provided employment for up to 35 Native people in the Chugach Region annually—an area that faces high levels of unemployment—through programs that conserve and restore our natural resources.

An investment in CRRC has been translated into real economic opportunities, savings and community investments that have a great impact on the Chugach region. Our employees are able to earn a living to support their families, thereby removing them from the rolls of people needing State and Federal support. In turn, they are

able to reinvest in the community, supporting the employment of and opportunities for other families. Our programs also support future economic and commercial opportunities for the region—protecting and developing our shellfish and other natural resources.

*Programs.*—CRRC has leveraged its BIA funding into almost \$2 million annually to support its several community-based programs. Specifically, the base funding provided through BIA appropriation has allowed CRRC to maintain core administrative operations, and seek specific projects funding from other sources such as the Administration for Native Americans, the State of Alaska, Bureau of Indian Affairs, U.S. Forest Service, U.S. Fish & Wildlife Service, the U.S. Department of Education, the Exxon Valdez Oil Spill Trustee Council, the North Pacific Research Board and various foundations. This diverse funding pool has enabled CRRC to develop and operate several important programs that provide vital services, valuable products, and necessary employment and commercial opportunities. These programs include:

*Alutiiq Pride Shellfish Hatchery.*—The Alutiiq Pride Shellfish Hatchery is the only shellfish hatchery in the State of Alaska. The 20,000 square foot shellfish hatchery is located in Seward, Alaska, and houses shellfish seed, brood stock and algae production facilities. Alutiiq Pride is undertaking a hatchery nursery operation, as well as grow-out operation research to adapt mariculture techniques for the Alaskan Shellfish industry. The Hatchery is also conducting scientific research on blue and red king crab as part of a larger federally sponsored program. Alutiiq Pride has already been successful in culturing geoduck, oyster, littleneck clam, and razor clam species and is currently working on sea cucumbers. This research has the potential to dramatically increase commercial opportunities for the region in the future. The activities of Alutiiq Pride are especially important for this region considering it is the only shellfish hatchery in the State, and therefore the only organization in Alaska that can carry out this research and production.

*Natural resource curriculum development.*—Partnering with the University of Alaska, Fairbanks, and the National Oceanic and Atmospheric Administration, CRRC has developed and implemented a model curriculum in natural resource management for Alaska Native students. This curriculum integrates traditional knowledge with Western science. The goal of the program is to encourage more Native students to pursue careers in the sciences. In addition, we are working with the Native American Fish & Wildlife Society and tribes across the country (including Alaska) to develop a university level textbook to accompany these courses.

In addition, we have completed a K–12 Science Curriculum for Alaska students that integrates Indigenous knowledge with western science. This curriculum is being piloted in various villages in Alaska and a thorough evaluation process will ensure its success and mobility to other schools in Alaska.

*Alaska Migratory Bird Co-Management Council.*—CRRC is a member of the Council responsible for setting regulations governing the spring harvest of migratory birds for Alaska Natives, as well as conducting harvest surveys and various research projects on migratory birds of conservation concern. Our participation in this statewide body ensures the legal harvest of migratory birds by Indigenous subsistence hunters in the Chugach Region.

*Statewide Subsistence Halibut Working Group.*—CRRC participates in this working group, ensuring the halibut resources are secured for subsistence purposes, and to conduct harvest surveys in the Chugach Region.

#### CONCLUSION

At the very least, we urge Congress to sustain the current level of funding of \$410,000 included in the BIA's fiscal year 2016 budget for CRRC, but a modest increase in our funding will permit us to leverage those dollars to do more for the Alaska Native villages located in Prince William Sound and Lower Cook Inlet. With a five-to-one return on every Federal dollar invested in CRRC, we believe this to be a terrific return for the Federal Government and our communities.

We appreciate the opportunity to submit this important testimony.

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#### PREPARED STATEMENT OF THE CITY PARKS ALLIANCE

Dear Chairman Cochran and Ranking Member Mikulski:

City Parks Alliance, the only independent national organization solely dedicated to urban parks, representing hundreds of park agencies and supporting nonprofit organizations, has great interest in the Land and Water Conservation Fund (LWCF) and its equitable distribution to Federal, State, and urban parks. We are writing

to you today to bring your attention to the lack of LWCF funds that reach urban communities.

While 98 percent of our counties in the Nation have a park project funded by LWCF, what is often overlooked is that over the past 50 years urban parks have received less than 3 percent of the overall funds distributed through LWCF.

Eighty percent of Americans live in cities and cities generate 85 percent of our GDP. More than any other time in our history, cities are the engines generating our Nation's wealth. Strong cities are the key to keeping America competitive in the rapidly changing global economy. One of the most important but least recognized essentials to an attractive and healthy urban environment is a well-designed and well-maintained network of city parks—a vital component of any city's infrastructure. Parks support public health, workforce development, local economies, the environment, education, and community cohesion. They are critical to creating resilient, livable, and vibrant cities. LWCF funding is an essential resource for cities as they seek to develop new or revitalize existing urban parks, green spaces, and recreation opportunities.

However, many cities continue to have deteriorated parks and recreation facilities and greatly need the additional funding to achieve demonstrated benefits. We support the recent grants to cities for park improvements provided by the National Park Service through the "competitive grants" component of the fiscal year 2014 Appropriations. In the first year of this new program, approved by your subcommittee, \$3 million was awarded to eight cities, including: Mobile, Alabama; Denver, Colorado; Bridgeport, Connecticut; Atlanta, Georgia; Detroit, Michigan; Minneapolis, Minnesota; Portland, Oregon; and Madison, Wisconsin. However, much more funding is needed.

City Parks Alliance asks the subcommittee for a more equitable and robust distribution of LWCF to urban communities. When cities receive LWCF grants, those grants are matched and often leverage millions more in public and private investments. For example, LWCF's \$1.2 million in grants for the South Platte River in Denver galvanized more than \$2.5 billion in local public and private funding, an investment that has revitalized Denver's downtown and continues to drive economic development and job creation. Greenville, South Carolina transformed its downtown by restoring Reedy River Falls Park, which was originally protected by a \$16,000 LWCF grant. This park has now generated about \$100 million in private investment in the adjacent area. There are many other examples across the country in cities large and small that show the true economic and health benefits that LWCF grants can have on communities.

Indeed, the bipartisan Mayors for Parks Coalition, managed by City Parks Alliance, brings together mayors from around the country who have seen the success of LWCF-funded projects in their cities and are urging Congress to reauthorize and fully fund LWCF. Co-chairs of the 43-member coalition are Mayor Michael B. Hancock (D) of Denver, Colorado, and Mayor Betsy Price (R) of Fort Worth, Texas.

In addition to urban parks, LWCF improves access to America's vast network of public lands, providing city dwellers greater opportunities to enjoy the mountains, deserts, and streams that are a day trip or less away. Proximity to public lands has shown to be an economic asset for cities across the country. The LWCF bolsters this asset for businesses and residents alike.

City Parks Alliance praises the President's fiscal year 2016 request of \$5 million for the Outdoor Recreation Legacy Partnership Program (ORLPP) and recognizes the transformative impact it will have in the few cities selected to benefit from this competitive pilot program. However, much more is needed to strengthen the health and future growth of our urban communities.

We also praise the President's request of \$25 million from LWCF by reestablishing the Urban Parks Recreation and Recovery (UPARR) program within the National Park Service.

City Parks Alliance is conscious and respectful of the Federal budget challenges. But LWCF has been proven as a smart investment where funds can be leveraged effectively through public private partnerships. We look forward to working with you to provide more funding to urban communities where this public investment is critically needed.

Thank you for your consideration.

[This statement was submitted by Catherine Nagel, *Executive Director*.]

## PREPARED STATEMENT OF THE CIVIL WAR TRUST

## INTRODUCTION

Madam Chairman and members of the subcommittee, thank you for the opportunity to provide written testimony. My name is James Lighthizer, and I am the president of the Civil War Trust. I respectfully request that the Senate Appropriations Subcommittee for Interior, Environment, and Related Agencies fund the National Park Service's American Battlefield Protection Program at its authorized amount of \$10 million.

The Civil War Trust is a national nonprofit organization dedicated to preserving America's remaining Civil War, Revolutionary War and War of 1812 battlefields. Thanks to the generosity of our 200,000 members and supporters, the Civil War Trust has protected more than 41,000 acres of critically important battlefield land in 20 States.

The American Battlefield Protection Program's land acquisition grants program is an authorized competitive matching grants program that requires a 1-to-1 Federal/non-Federal match, although on most occasions the Federal dollars are leveraged much more than 1-to-1. The program promotes cooperative partnerships between State and local governments and the private sector to protect high priority battlefields outside National Park Service boundaries.

## BATTLEFIELD LANDS ARE OUR SHARED AMERICAN HERITAGE

America's battlefields are an irreplaceable part of our shared national heritage. When preserved, these battlefields serve as outdoor classrooms to educate current and future generations about the defining moments in our country's history. They are living monuments, not just to the men who fought and sacrificed there, but to all who have proudly worn our Nation's uniform. Preserved battlefields are also economic drivers for communities, bringing in tourism dollars that are extremely important to State and local economies. When these hallowed grounds are lost, they are lost forever.

## ORIGINS OF THE PROGRAM

In 1990, Congress created the Civil War Sites Advisory Commission (CWSAC), a blue-ribbon panel composed of lawmakers, historians and preservationists, to examine the status of America's Civil War battlefields. Three years later, the Commission released a report identifying the most important Civil War battlefields, prioritizing them according to preservation status and historic significance. In addition, the Commission also recommended that Congress establish a Federal matching grant program to encourage the private sector to invest in battlefield preservation. The Commission's proposal for Federal matching grants was the genesis of today's American Battlefield Protection Program land acquisition grants program.

The National Defense Authorization Act for fiscal year 2015 (Public Law 113-291) reauthorized the battlefield acquisition grants program and expanded its eligibility to include Revolutionary War and War of 1812 battlefields, in addition to Civil War battlefields. Similar to the Civil War grants, which are awarded for priority battlefield land identified in the CWSAC report, funding for Revolutionary War and War of 1812 battlefields will target sites listed in a 2007 study by the National Park Service. Among the battlefields that could potentially benefit from the expanded program are: Bennington, New York and Vermont; Brandywine, Pennsylvania; Cowpens, South Carolina; Caulk's Field, Maryland; Guilford Courthouse, North Carolina; Princeton, New Jersey; River Raisin, Michigan; Saratoga, New York; and Yorktown, Virginia.

Since the program was first funded in fiscal year 1999, grants have been used to protect 24,000 acres of hallowed ground in 17 States. Among the many battlefields that have benefited from this program are: Antietam, Maryland; Bentonville, North Carolina; Champion Hill, Mississippi; Chancellorsville, Virginia; Chattanooga, Tennessee; Gettysburg, Pennsylvania; Harpers Ferry, West Virginia; Mill Springs, Kentucky; Prairie Grove, Arkansas; and Wilson's Creek, Missouri. It is important to note that grants are awarded for acquisition of lands from willing sellers only; there is not—and never has been—any eminent domain authority.

## URGENT NEED FOR FUNDING

The Civil War Trust wishes to thank the subcommittee for its previous support for this valuable program. We recognize that these are challenging economic times and appreciate the constraints on this subcommittee. However, we must point out that the clock is ticking on the remaining battlefields of the Revolutionary War, War

of 1812 and Civil War. The Civil War Trust estimates that, in the next decade, most unprotected battlefield land will be either developed or preserved. Full funding for the American Battlefield Protection Program at its authorized level of \$10 million a year will enable nonprofit groups like the Trust to protect as many key battlefield lands as possible in the limited time remaining.

#### CONCLUSION

The Revolutionary War, the War of 1812 and the Civil War were defining moments in our country's history. Our forebears secured our independence from Great Britain and forged our democratic ideals during the Revolutionary War and War of 1812. During the Civil War, the great armies of the North and South clashed in hundreds of battles that reunited the Union and sounded the death knell for slavery. Preserved battlefields help ensure that the sacrifices of these turbulent periods in our Nation's history are never forgotten.

Chairman Murkowski and Ranking Member Udall, I sincerely hope that you and the subcommittee will consider our request to provide funding of the American Battlefield Protection Program's land acquisition grants program at its authorized level of \$10 million. We look forward to working closely with you as we continue our important work to preserve America's sacred battlefield lands. Thank you for the opportunity to address the subcommittee.

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#### PREPARED STATEMENT OF THE COALITION AGAINST FOREST PESTS

Our organizations write to express strong support for the Forest Health Management programs—both Federal and cooperative lands—and the Forest and Rangeland Research programs at the USDA Forest Service (USFS). We respectfully request your support in funding the Forest Health Management programs at \$111 million—\$63 million Federal Lands and \$48 million Cooperative Lands—and the Forest and Rangeland Research program at \$303 million in fiscal year 2016.

Our Nation's forests and trees provide numerous benefits in both rural and urban areas. They sustain the health of our environment and our economy by providing clean air and water, wildlife habitat, enhanced property values, renewable energy sources, and carbon sequestration. Healthy forests also support jobs; for example, the U.S. forest products industry employs nearly 900,000 people in all 50 States. Visitors to National Forest System lands generate more than \$13 billion of recreation and other related economic activity. One million tourists view fall foliage displays, generating \$1 billion in revenue in New England annually.

The myriad benefits our forests produce are at risk. The ability of forests to continue providing benefits is threatened by damaging invasive species that are arriving and spreading at an increasing rate. At least 28 new tree-killing pests have been detected over the last decade. Some cause enormous damage. For instance, thousand cankers disease threatens black walnut trees; walnut growing stock is valued at \$539 billion. Already, municipal governments across the country are spending more than \$2 billion each year to remove trees on city property killed by non-native pests. Homeowners are spending an additional \$1 billion to remove and replace trees on their properties and are absorbing an additional \$1.5 billion in reduced property values.

The USFS Forest Health Management Program is a critical resource supporting efforts to prevent, contain, and eradicate these costly and dangerous pests and pathogens affecting trees and forests. In fiscal year 2014, the Program helped combat native and invasive pests on over 327,000 acres of Federal lands and over 486,000 acres of Cooperative lands.<sup>1</sup> While these numbers represent a vital component of our efforts to protect the Nation's forests and trees, they also represent the real consequences of reductions in funding over the past 5 years, which have resulted in fewer acres treated. Any further cuts to this program will necessitate deeper reductions in support for communities already facing outbreaks and expose more of the Nation's forests and trees to the devastating and costly effects of the forest pests. With this in mind, we are concerned with the President's budget proposal to reduce funding for the Cooperative Lands program and corresponding reductions for work to address Sudden Oak Death, Asian Longhorned Beetle, goldspotted oak borer, and other serious threats to our forests.

The USFS Forest and Rangeland Research program provides the scientific foundation for developing effective tools to detect and manage forest pests and the pathways by which they are introduced and spread. As forests face increasing pressure from the growing number of non-native pests support for research programs is crit-

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<sup>1</sup> USDA Forest Service fiscal year 2016 President's Budget Justification.

ical. New pathways of introduction and spread have required analysis, e.g., wood packaging and firewood. We are concerned that the President's budget request for Forest and Rangeland Research would further limit our ability to prevent, contain, and eradicate damaging forest pests. We respectfully request your support in funding the USFS Forest and Rangeland Research program at \$303 million in fiscal year 2016.

In a time when America's forests and trees faces significant threats to their current and long-term health, the USFS needs adequate funding for the Forest Health Management and Forest and Rangeland Research programs to address current and emerging pests and keep their already staggering costs to a minimum. Accordingly, we urge the subcommittee to restore funding for these critical programs in fiscal year 2016. We request that you support the Forest Health Management programs at a total funding level of \$111 million—with \$63 million for Federal Lands and \$48 million for Cooperative Lands—and the Forest and Rangeland Research program at \$303 million.

We would be pleased to answer any questions you may have. Thank you for your time and consideration of this request.

Sincerely,

American Forest Foundation, American Forests, American Public Gardens Association, California Forest Pest Council, Center for Invasive Species Prevention, National Alliance of Forest Owners, National Association of Conservation Districts, National Association of State Foresters, National Network of Forest Practitioners, National Wild Turkey Federation, National Woodland Owners Association, Society of American Foresters, The Nature Conservancy, Tree Care Industry Association, and Vermont Woodlands Association.

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PREPARED STATEMENT OF THE COALITION FOR HEALTHIER SCHOOLS

Dear Senator/Representative:

On behalf of more than 150 participating parent, public health, environment, and education groups in the Coalition, we urge you to make healthy children and healthy indoor environments a priority in the final fiscal year 2016 appropriations for U.S. Environmental Protection Agency (EPA). EPA has more than a 15 year history in working with PreK-12 schools, child care centers, and communities to advance healthier indoor environments with voluntary grants and annual symposiums.

Specifically, we request \$21.1 million for EPA's Indoor Environments Division/Indoor Air-Reducing the Risks to educate non-governmental organizations (NGOs), local schools and communities on how to prevent risks and promote healthy indoor environments in PreK-12 schools and child care centers. The \$21.1 million is the average of its enacted budget from 2004–2009 in the Bush Administration. In that period, it educated thousands of school personnel and hosted annual symposiums that highlighted best practices by schools. We support and ask that you ensure that EPA's Office of Children's Health Protection has \$8 million as in the President's fiscal year 2016 budget request, allowing it to offer grants to encourage work by State agencies to address children's health at school.

Some 55 million children attend public and private schools every day, yet our Nation's schools—places where 20 percent of Americans (95 percent of whom are women and children) learn and work every day—are woefully unaware or under-prepared to manage their facilities, as numerous facility studies have shown. Research also shows that environmentally healthy learning places that are clean, dry and quiet, and have good indoor air, have better attendance and higher test scores. Poor indoor environments in schools decrease test scores, and increase absenteeism, asthma, and healthcare costs.

The Centers for Disease Control and Prevention's (CDC's) 2012 School Health Policy Survey found far too few States and districts adopting environmental management policies that promote attendance and achievement. CDC found for example:

- only 42.9 percent of States helping districts with Indoor Air Quality; and
- 36.3 percent of districts having a policy to purchase low-emitting products which can help reduce contaminants of indoor air.



Thank you for your attention and we look forward to working with you on this critical public health and education issue.

Sincerely,

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| Alaska Community Action on Toxics        | Massachusetts Healthy Schools Network   |
| American Public Health Association       | National Center for Environmental       |
| Asthma and Allergy Foundation of         | Health Strategies                       |
| America                                  | National Education Association—         |
| Association of School Business Officials | Healthy Schools Caucus                  |
| International                            | NEA Healthy Futures                     |
| Center for Cities + Schools (California) | New York State PTA                      |
| Clean and Healthy New York               | Northwest Clean Air Agency              |
| Coalition for Environmentally Safe       | (Washington)                            |
| Schools (Washington)                     | OHIAS—Our Health Is At Stake            |
| Connecticut Foundation for               | (California)                            |
| Environmentally Safe Schools             | PCBsInSchools                           |
| Earth Day Network                        | Pediatric Environmental Health          |
| Empire State Consumer Project (New       | Specialty Units—West                    |
| York)                                    | Physicians for Social Responsibility—   |
| Green & Healthy Homes Initiative         | Florida                                 |
| Green Schools Initiative (California)    | Sheet Metal Occupational Health         |
| Green Schools National Network           | Institute Trust (SMOHIT)                |
| Health Promotion Consultants (Virginia)  | Southwest Environmental Health          |
| Health Resources in Action               | Sciences Center (Arizona)               |
| (Massachusetts)                          | Take Care of Your Classroom Air (Texas) |
| Healthy Schools Network                  | Toxics Information Project (Rhode       |
| IPM Institute of North America           | Island)                                 |
| Learning Disability Association of New   | U.S. Green Building Council             |
| York State                               | Washington Asthma Initiative            |
| Maine PTA                                | West Harlem Environmental Action        |
| Maryland Children's Environmental        | (WEACT)                                 |
| Health Coalition                         | Women for a Healthy Environment/        |
| Massachusetts Coalition for              | Healthy Schools PA                      |
| Occupational Safety and Health           | Zinner Consultants (California)         |

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#### PREPARED STATEMENT OF THE COLORADO RIVER BASIN SALINITY CONTROL FORUM

Waters from the Colorado River are used by nearly 40 million people for municipal and industrial purposes and used to irrigate approximately 5.5 million acres in the United States. Natural and man-induced salt loading to the Colorado River creates environmental and economic damages. The U.S. Bureau of Reclamation (Reclamation) has estimated the current quantifiable damages at about \$382 million per year. Congress authorized the Colorado River Basin Salinity Control Program (Program) in 1974 to offset increased damages caused by continued development and use of the waters of the Colorado River. Modeling by Reclamation indicates that the quantifiable damages would rise to approximately \$614 million by the year 2035 without continuation of the Program. Congress has directed the Secretary of the Interior to implement a comprehensive program for minimizing salt contributions to the Colorado River from lands administered by the Bureau of Land Management (BLM). BLM funds these efforts through its Soil, Water and Air Program. BLM's efforts are an essential part of the overall effort. A funding level of \$1.5 million for salinity specific projects in 2016 is requested to prevent further degradation of the quality of the Colorado River and increased downstream economic damages.

EPA has identified that more than 60 percent of the salt load of the Colorado River comes from natural sources. The majority of land within the Colorado River Basin is federally owned, much of which is administered by BLM. In implementing the Colorado River Basin Salinity Control Act in 1974, Congress recognized that most of the salts in the Colorado River originate from federally owned lands. Title I of the Salinity Control Act deals with the U.S. commitment to the quality of waters being delivered to Mexico. Title II of the Act deals with improving the quality of the water delivered to users in the United States. This testimony deals specifically with Title II efforts. In 1984, Congress amended the Salinity Control Act and directed that the Secretary of the Interior develop a comprehensive program for minimizing salt contributions to the Colorado River from lands administered by BLM. In 2000, Congress reiterated its directive to the Secretary and requested a report on the implementation of BLM's program (Public Law 106-459). In 2003,

BLM employed a Salinity Coordinator to increase BLM efforts in the Colorado River Basin and to pursue salinity control studies and to implement specific salinity control practices. BLM is now working on creating a comprehensive Colorado River Basin salinity control program as directed by Congress and will be seeking a line-item appropriation in its 2017 budget request. With a significant portion of the salt load of the Colorado River coming from BLM administered lands, the BLM portion of the overall program is essential to the success of the effort. Inadequate BLM salinity control efforts will result in significant additional economic damages to water users downstream.

Concentration of salt in the Colorado River causes approximately \$382 million in quantified damages and significantly more in unquantified damages in the United States and results in poor water quality for United States users. Damages occur from:

- a reduction in the yield of salt sensitive crops and increased water use to meet the leaching requirements in the agricultural sector,
- increased use of imported water and cost of desalination and brine disposal for recycling water in the municipal sector,
- a reduction in the useful life of galvanized water pipe systems, water heaters, faucets, garbage disposals, clothes washers, and dishwashers, and increased use of bottled water and water softeners in the household sector,
- an increase in the cost of cooling operations and the cost of water softening, and a decrease in equipment service life in the commercial sector,
- an increase in the use of water and the cost of water treatment, and an increase in sewer fees in the industrial sector,
- a decrease in the life of treatment facilities and pipelines in the utility sector, and
- difficulty in meeting wastewater discharge requirements to comply with National Pollutant Discharge Elimination System permit terms and conditions, and an increase in desalination and brine disposal costs due to accumulation of salts in groundwater basins.

The Colorado River Basin Salinity Control Forum (Forum) is composed of gubernatorial appointees from Arizona, California, Colorado, Nevada, New Mexico, Utah and Wyoming. The Forum is charged with reviewing the Colorado River's water quality standards for salinity every 3 years. In so doing, it adopts a Plan of Implementation consistent with these standards. The level of appropriation requested in this testimony is in keeping with the adopted Plan of Implementation. If adequate funds are not appropriated, significant damages from the higher salinity concentrations in the water will be more widespread in the United States and Mexico.

In summary, implementation of salinity control practices through BLM is a cost effective method of controlling the salinity of the Colorado River and is an essential component to the overall Colorado River Basin Salinity Control Program. Continuation of adequate funding levels for salinity within the Soil, Water and Air Program will assist in preventing the water quality of the Colorado River from further degradation and significant increases in economic damages to municipal, industrial and irrigation users. A modest investment in source control pays huge dividends in improved drinking water quality to nearly 40 million Americans.

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#### PREPARED STATEMENT OF THE COLORADO RIVER BOARD OF CALIFORNIA

This testimony is in support of fiscal year 2016 funding for the Department of the Interior's Bureau of Land Management (BLM) associated with the sub-activity that assists Title II of the Colorado River Basin Salinity Control Act of 1974 (Public Law 93-320). This long-standing successful and cost-effective salinity control program in the Colorado River Basin is being carried out pursuant to the Colorado River Basin Salinity Control Act and the Clean Water Act (Public Law 92-500). Congress has directed the Secretary of the Interior to implement a comprehensive program for minimizing salt contributions to the Colorado River from lands administered by the Bureau of Land Management (BLM). BLM funds these efforts through its Soil, Water and Air Program. BLM's efforts are an essential part of the overall effort. A funding level of \$1.5 million for salinity specific projects in 2016 is requested to prevent further degradation of the quality of the Colorado River and increased downstream economic damages.

The Colorado River Board of California (Colorado River Board) is the State agency charged with protecting California's interests and rights in the water and power resources of the Colorado River system. In this capacity, California participates along with the other six Colorado River Basin States through the Colorado River Basin Salinity Control Forum (Forum), the interstate organization responsible for coordi-

nating the Basin States' salinity control efforts. In close cooperation with the U. S. Environmental Protection Agency (EPA) and pursuant to requirements of the Clean Water Act, the Forum is charged with reviewing the Colorado River water quality standards every 3 years. The Forum adopts a Plan of Implementation consistent with these water quality standards. The level of appropriation being supported in this testimony is consistent with the Forum's 2014 Plan of Implementation. The Forum's 2014 Plan of Implementation can be found on this Web site: <http://coloradoriversalinity.org/docs/2014%20Final%20REVIEW%20-%20complete.pdf>. If adequate funds are not appropriated, significant damages associated with increasing salinity concentrations of Colorado River water will become more widespread in the United States and Mexico.

The EPA has determined that more than 60 percent of the salt load of the Colorado River comes from natural sources. The majority of land within the Colorado River Basin is federally owned, much of which is administered by BLM. Through passage of the Colorado River Basin Salinity Control Act in 1974, Congress recognized that much of the salts in the Colorado River originate on federally owned lands. Title I of the Salinity Control Act deals with the U.S. commitment to efforts related to maintaining the quality of waters being delivered to Mexico pursuant to the 1944 Water Treaty. Title II of the Act deals with improving the quality of the water delivered to U.S. users. In 1984, Congress amended the Salinity Control Act and directed that the Secretary of the Interior develop a comprehensive program for minimizing salt contributions to the Colorado River from lands administered by BLM. In 2000, Congress reiterated its directive to the Secretary and requested a report on the implementation of BLM's program (Public Law 106-459). In 2003, BLM employed a Salinity Coordinator to coordinate BLM efforts in the Colorado River Basin States to pursue salinity control studies and to implement specific salinity control practices. BLM is now working on creating a comprehensive Colorado River Basin salinity control program as directed by Congress and will be seeking a line-item appropriation in its 2017 budget request. With a significant portion of the salt load of the Colorado River coming from BLM-administered lands, the BLM portion of the overall program is essential to the success of the entire effort. Inadequate BLM salinity control efforts will result in significant additional economic damages to water users downstream.

Over the 31 years since the passage of the Colorado River Basin Salinity Control Act, much has been learned about the impact of salts in the Colorado River system. Currently, the salinity concentration of Colorado River water causes about \$382 million in quantifiable damages in the United States annually. Economic and hydrologic modeling by Reclamation indicates that the quantifiable damages could rise to more than \$614 million by the year 2035 without the continuation of the Salinity Control Program. For example, damages can be incurred related to the following activities:

- a reduction in the yield of salt sensitive crops and increased water use to meet the leaching requirements in the agricultural sector,
- an increase in the amount of imported water,
- an increased cost of desalination and brine disposal for recycling water in the municipal sector,
- a reduction in the useful life of galvanized water pipe systems, water heaters, faucets, garbage disposals, clothes washers, and dishwashers, and increased use of bottled water and water softeners in the household sector,
- an increase in the cost of cooling operations and the cost of water softening, and a decrease in equipment service life in the commercial sector,
- an increase in the use of water and the cost of water treatment, and an increase in sewer fees in the industrial sector,
- a decrease in the life of treatment facilities and pipelines in the utility sector, and
- difficulty in meeting wastewater discharge requirements to comply with National Pollutant Discharge Elimination System permit terms and conditions.

The Colorado River is, and will continue to be, a major and vital water resource to the nearly 20 million residents of southern California, including municipal, industrial, and agricultural water users in Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura Counties. The protection and improvement of Colorado River water quality through an effective salinity control program will avoid the additional economic damages to users in California and the other States that rely on Colorado River water resources.

## PREPARED STATEMENT OF THE COLUMBIA RIVER INTER-TRIBAL FISH COMMISSION

Mr. Chairman and members of the subcommittee, the Columbia River Inter-Tribal Fish Commission (CRITFC) is pleased to share its view on the Department of Interior, Bureau of Indian Affairs' (BIA) fiscal year 2016 budget. We have specifically identified the following funding needs and one request for review:

- (1) \$8.95 million for Columbia River Fisheries Management under Rights Protection Implementation, (\$4.4 million above fiscal year 2015), to meet the base program funding needs of the Commission and the fisheries programs of our member tribes;
- (2) \$4.8 million for U.S./Canada Pacific Salmon Treaty, (\$520,000 above fiscal year 2015) to implement obligations under the recent agreements adopted by the U.S. and Canada;
- (3) \$4.5 million in Rights Protection Implementation to assist tribes in climate change adaptation and planning; and
- (4) \$352.5 million for Public Safety and Justice, of which \$716,000 supports enforcement of Federal laws at In-Lieu and Treaty Fishing Access Sites on the Columbia River.

## HISTORY AND BACKGROUND

CRITFC was founded in 1977 by the four Columbia River treaty tribes: Confederated Tribes of the Umatilla Indian Reservation, Confederated Tribes of the Warm Springs Reservation of Oregon, Confederated Tribes and Bands of the Yakama Nation, and the Nez Perce Tribe. CRITFC provides coordination and technical assistance to these tribes in regional, national and international efforts to protect and restore our shared salmon resource and the habitat upon which it depends. Our collective ancestral homeland covers nearly one-third of the entire Columbia River Basin in the United States, an area the size of the State of Georgia.

In 1855, the U.S. entered into treaties with the four tribes<sup>1</sup> whereupon we ceded millions of acres of our homelands to the U.S. In return, the U.S. pledged to honor our ancestral rights, including the right to fish in all Usual and Accustomed locations. Unfortunately, a perilous history brought the salmon resource to the edge of extinction with 12 salmon and steelhead populations in the Columbia Basin listed under the Endangered Species Act (ESA).

The CRITFC tribes have arrived as globally-recognized leaders in fisheries restoration and management working in collaboration with State, Federal and private entities. We are principals in the region's efforts to halt the decline of salmon, lamprey and sturgeon populations and rebuild them to levels that support ceremonial, subsistence and commercial harvests. To achieve these objectives, our actions emphasize "gravel-to-gravel" management including supplementation of natural stocks, healthy watersheds and collaborative efforts.

The programs in this testimony are carried out pursuant to the Indian Self-Determination and Assistance Act. Our programs are integrated as much as possible with State and Federal salmon management and restoration efforts.

## COLUMBIA RIVER FISHERIES MANAGEMENT WITHIN RIGHTS PROTECTION IMPLEMENTATION

We are succeeding. The salmon, returning in greater numbers, tell us so. But along with success, management increases in complexity, requiring greater data collection and enforcement. Funding shortfalls prohibit the achievement of tribal self-determination goals for fisheries management, ESA recovery effort, protecting non-listed species, conservation enforcement and treaty fishing access site maintenance. We request an increase of \$4.4 million over fiscal year 2015 for a new program base of \$8.95 million for Columbia River Fisheries Management.

The BIA's Columbia River Fisheries Management line item is the base funding that supports the fishery program efforts of CRITFC and the four member tribes. Unlike State fish and game agencies, the tribes do not have access to Dingell-Johnson/Pittman-Robertson or Wallop-Breaux funding. The increase will be directed to support the core functions of the fisheries management programs of the Commission's member tribes, namely enforcement and harvest monitoring.

In 2008, CRITFC and its member tribes struck three landmark agreements: (1) the Columbia Basin Fish Accords with Federal action agencies overseeing the Fed-

<sup>1</sup>Treaty with the Yakama Tribe, June 9, 1855, 12 Stat. 951; Treaty with the Tribes of Middle Oregon, June 25, 1855, 12 Stat. 963; Treaty with the Umatilla Tribe, June 9, 1855, 12 Stat. 945; Treaty with the Nez Perce Tribe, June 11, 1855, 12 Stat. 957.

eral hydro system in the Columbia Basin,<sup>2</sup> (2) a 10-Year Fisheries Management Plan with Federal, tribal and State parties under U.S. v Oregon, and (3) a new Chinook Chapter of the Pacific Salmon Treaty.<sup>3</sup> These agreements establish regional and international commitments on harvest and fish production efforts, commitments to critical investments in habitat restoration, and resolving contentious issues by seeking balance of the many demands within the Columbia River basin. While through these agreements the Tribes have committed to substantial on-the-ground projects with some additional resources from the Bonneville Power Administration, the overall management responsibilities of the tribal programs have grown exponentially without commensurate increases in BIA base funding capacity. For example, the tribes' leadership in addressing Pacific Lamprey declines is this species' best hope for survival and recovery. The tribes' are also addressing unmet mitigation obligations, such as fish losses associated with the John Day and The Dalles dams.

The funding provided through the BIA to support tribal fishery programs is crucial to the tribes' and CRITFC's ability to successfully carry out tribal rights protection, including these agreements, by providing sound technical, scientific and policy products to diverse legal, public and private forums. Rights Protection Implementation funding takes on even greater importance as funding for State co-management agencies has become inconsistent or decreased. Below are priority need areas for CRITFC and our member tribes.

#### YOUTH PROGRAM INITIATIVES

The Columbia River Treaty Tribes place an emphasis on preparing our youth for careers in Natural Resources Management. However, our tribes, like tribes nationwide, struggle to overcome barriers to Science, Technology, Engineering, and Mathematics achievement, high drop-out rates, and low percentages of students pursuing natural resources majors. Our Place-Based Workforce Development Initiative seeks to address these barriers through a blend of technical assistance, intern and externship opportunities and a summer Salmon Camp.

#### COLUMBIA RIVER TREATY MODERNIZATION

The Columbia River Inter-Tribal Fish Commission's member tribes are part of a coalition of 15 Columbia Basin tribes whose rights, as well as management authorities and responsibilities, are substantially affected by the implementation of the Columbia River Treaty. In order for Treaty modernization to succeed, the Columbia Basin tribes need to continue to coordinate internally and with other regional and national entities, as well as continue their analytical evaluation of the Treaty including the impacts of climate change, while the State Department evaluates the Regional Recommendation and completes their national interests review.

#### TRIBAL CLIMATE RESILIENCE

The Treaty Right is feeling the effects of Climate Change. Shifts are occurring in salmon run timing, and berry and root ripening cycles. We support the President's request of \$4.7 million to implement Tribal Climate Resilience. Specifically, these funds support the BIA Tribal Climate Change Program which will integrate climate change adaptation strategies into its policies and planning for support for the tribes, Alaska Natives and Native Hawaiians. The BIA need these resources to support active engagement of tribes, Alaska Natives and Native Hawaiians in the Landscape Conservation Cooperatives and the Climate Science Centers and to ensure adequate Government-to-Government consultation on all issues with climate effects.

#### U.S./CANADA PACIFIC SALMON TREATY UNDER RIGHTS PROTECTION IMPLEMENTATION

The U.S. and Canada entered into the Pacific Salmon Treaty in 1985 to conserve and rebuild salmon stocks, provide for optimum production, and control salmon interceptions. The treaty established the Pacific Salmon Commission (PSC) as a forum to collaborate on intermingled salmon stocks. The U.S. Section of the PSC annually develops a coordinated budget for tribal, State and Federal programs to ensure cost and program efficiencies. Congress increased funding in 2000 in order to implement the 1999 Agreement, but funding has significantly eroded since then. In 2008, the U.S. and Canada adopted a new long term Treaty agreement after nearly 3 years of negotiations. Both parties agreed to significant new management research and monitoring activities to ensure the conservation and rebuilding of the shared salmon resource.

<sup>2</sup>The Nez Perce Tribe is not a Columbia Basin Fish Accord signatory.

<sup>3</sup>"See Salmon Win A Triple Crown" at [http://www.critfc.org/text/wana\\_109.pdf](http://www.critfc.org/text/wana_109.pdf).

For tribal participants in the Pacific Salmon Treaty, the U.S. Section has identified a program need of \$4,800,000 for participating tribes. These funds provide for direct tribal participation with the Commission, panels and technical committees. The funding enables the tribes to assist in Treaty implementation and facilitates management protecting trust resources. This funding maintains tribal resource assessment and research programs structured to fulfill required Treaty implementation activities. The fiscal year 2016 recommended level for this program is an increase of \$520,000 above the fiscal year 2015 enacted level. Our request correlates to the U.S. Section's recommendation.

#### PUBLIC SAFETY AND JUSTICE, CRIMINAL INVESTIGATIONS AND POLICE SERVICES

Public safety continues to be a high priority for CRITFC and our tribes. Our conservation and criminal enforcement officers are the cornerstone of public safety in the popular and heavily used Columbia Gorge area patrolling 150 miles of the Columbia River, including its shorelines in Oregon and Washington. In this area we are the primary provider of enforcement services at 31 fishing access sites developed pursuant to Public Law 87-14 and Public Law 100-581 for use by treaty fishers. CRITFC's officers have obtained BIA Special Law Enforcement Commissions to aid our efforts protecting and serving tribal members and Federal trust properties along the Columbia River. We are also very pleased that the BIA has created the Office of Justice Services (OJS) District 8 and housed it in Portland. CRITFC entered into a Public Law 93-638 contract with BIA in February 2011 for enforcement services along the Columbia River. That contract currently provides funding for two enforcement positions.

It's important that CRITFC build its enforcement capacity above the level of the two officers currently funded by the BIA Office of Justice Services. Our immediate priority is to add two officers. Funding for two additional officers would cost \$313,560 plus indirect. Full funding for this project would be a total budget of \$716,053 plus indirect which would support four officers, a sergeant and a dispatcher.

#### A REQUEST FOR REVIEW OF SALMON MASS-MARKING PROGRAMS

CRITFC endeavors to secure a unified hatchery strategy among tribal, Federal and State co-managers. To that end, we seek to build hatchery programs using the best available science, regional expertise and supported by adequate, efficient budgets. A congressional requirement, delivered through prior appropriations language, to visibly mark all salmon produced in federally funded hatcheries circumvents local decisionmaking and should be reconsidered. We have requested that Federal mass-marking requirements, and correlated funding, be reviewed for compatibility with our overall objective of ESA delisting and with prevailing laws and agreements: U.S. v Oregon, Pacific Salmon Treaty and the Columbia Basin Fish Accords.<sup>4</sup> Salmon managers should be provided the latitude to make case-by-case decisions whether to mark fish and, if so, in the appropriate percentages.

In summary, through combined efforts of the four tribes supported by a staff of experts, we are proven natural resource managers. Our activities benefit the region while also essential to the U.S. obligation under treaties, Federal trust responsibility, Federal statutes, and court orders. We ask for your continued support of our efforts. We are prepared to provide additional information you may require on the Department of Interior's BIA budget.

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PREPARED STATEMENT OF THE CONGRESSIONAL FIRE SERVICES INSTITUTE, INTERNATIONAL ASSOCIATION OF FIRE CHIEFS, AND NATIONAL VOLUNTEER FIRE COUNCIL

Dear Senators Cochran, Mikuiski, Murkowski and Udall:

Our organizations request that you include a minimum of \$16 million in funding for the Volunteer Fire Assistance (VFA) grant program in fiscal year 2016 appropriations. VFA provides matching funds to volunteer fire departments protecting communities with 10,000 or fewer residents to purchase equipment and training for use in wildland fire suppression.

Volunteer fire departments provide nearly 80 percent of initial attack on wildland fires in the U.S. Unfortunately, these departments frequently lack the financial resources to adequately equip and train their firefighters to engage in wildland fire

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<sup>4</sup>Letter from Bruce Jim, Chairman, Columbia River Inter-Tribal Fish Commission to U.S. House of Representatives Chairmen Frank Wolf, Mike Simpson and Doc Hastings, July 11, 2011.

suppression. For example, the Third Needs Assessment of the U.S. Fire Service report published in 2011 by the National Fire Protection Association found that 68 percent of all fire departments that are responsible for wildland firefighting have not formally trained all their personnel to the recommended national standard.

When local fire departments are unable to suppress wildland fires during the initial phase, the fires spread and State and Federal firefighters are deployed. This is an extremely expensive process that can cost the Federal Government anywhere from hundreds of millions to more than one billion dollars in fire suppression costs alone in a single year depending on the severity of the fire season.

The costs of wildland fire suppression have been increasing steadily as commercial and residential development pushes further into the wildland/urban interface (WUI). Unfortunately, in recent years, Federal funding for volunteer fire departments to prepare for wildland fire suppression has dwindled. VFA has seen funding reduced from \$16 million in fiscal year 2010 to \$15.662 million in fiscal year 2011 and approximately \$13 million in fiscal year 2012–2015. Additionally, the Rural Fire Assistance program, which had historically been funded at \$7–10 million per year and provided matching grants to fire departments that agreed to assist in responding to wildland fires on Federal lands, hasn't been funded since fiscal year 2010.

Federal support is critical to ensure volunteer fire departments are able to safely and effectively respond to wildland fires. Our organizations recognize the challenges that Congress faces in trying to adequately fund a range of important programs in today's difficult budget environment. At the same time, we believe that reducing the funding for programs like RFA and VFA from a combined \$23 million in fiscal year 2010 to \$13 million in fiscal year 2015, leaves volunteer fire departments with fewer resources to prepare to respond to wildland fires and will lead to higher Federal spending on fire suppression in the long run. We urge you to provide a minimum of \$16 million for VFA in fiscal year 2016.

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#### PREPARED STATEMENT OF THE CONSERVATION FUND

Chairman Murkowski, Ranking Member Udall, and Members of the Appropriations Subcommittee on Interior, Environment, and Related Agencies, thank you for this opportunity to submit outside witness testimony on behalf of The Conservation Fund (TCF). TCF supports full funding of the President's budget request of \$900 million in fiscal year 2016 for the Land and Water Conservation Fund (LWCF) discretionary and mandatory proposals, which includes the Federal land acquisition programs of the Bureau of Land Management (\$93.397 million), National Park Service (\$171.037 million), U.S. Fish and Wildlife Service (\$164.772 million), U.S. Forest Service (\$127.673 million), as well as three State grant programs: the U.S. Fish and Wildlife Service's Cooperative Endangered Species Conservation Fund (\$100 million); National Park Service's State Conservation Grants (\$100.2 million); and the U.S. Forest Service's Forest Legacy Program (\$100 million). TCF also supports full funding of the President's request for the U.S. Fish and Wildlife Service—North American Wetlands Conservation Fund (\$34.145 million); the U.S. Forest Service—Community Forest and Open Space Conservation Program (\$1.683 million); and the Department of Interior (DOI)—Natural Resource Damage Assessment and Restoration Program (\$9.2 million). TCF requests funding for the Environmental Protection Agency (EPA)—Great Lakes Restoration Initiative (\$300 million); EPA—Clean Water State Revolving Funds (\$1.449 million) and EPA—Drinking Water State Revolving Funds (\$1.186 million). Additionally, TCF supports the proposals for the Federal Land Transaction Facilitation Act reauthorization, the National Park Service Centennial Initiative, and the U.S. Forest Service proposal for a fiscally responsible funding strategy that considers catastrophic wildland fires as disasters (i.e. in line with the Wildland Disaster Fund Act).

TCF is a national, non-profit conservation organization dedicated to conserving America's land and water legacy for future generations. Established in 1985, TCF works with landowners; Federal, State and local agencies; and other partners to conserve our Nation's important lands for people, wildlife and communities. To date, TCF has helped our partners to conserve over 7.5 million acres. These accomplishments are due, in large measure, to the leadership of this subcommittee over many years to appropriate funds to acquire lands for future generations, working forests, recreational opportunities, wildlife habitat, and many other benefits.

Below are highlights of some benefits of the LWCF and land acquisition programs. While these projects show the tremendous diversity of benefits of land acquisition for the public, they have one thing in common—each of these projects is driven by landowners. Many farmers, ranchers and forestland owners have significant financial equity in their land. By enabling a landowner to sell a conservation easement

or fee title, the LWCF program provides landowners with funds to stay in business, reinvest in businesses, or meet other financial goals.

As the subcommittee crafts its Interior, Environment and Related Agencies Appropriations bill, there are several key points we respectfully request you to consider, listed below.

1. *Land and Water Conservation Fund (LWCF) at \$900 million*

Funding at the recommended \$900 million is critical for the Nation's premier conservation program, a bipartisan agreement from almost 50 years ago. As the lists of ready LWCF projects below show, there are many opportunities that will be lost without this funding. LWCF represents a promise to the Nation that proceeds from offshore oil and gas development will help protect the public trust, and these projects will fulfill that mission.

The LWCF Budget includes Collaborative Landscape Planning (CLP) areas that we ask you to support: Island Forests at Risk, Upper Rio Grande, High Divide, Rivers of the Chesapeake, National Trails System, Florida-Georgia Long Leaf Pine, Pathways to the Pacific, and Northern California Coastal. In each CLP, several Federal land agencies are partnering with States, local groups, non-profits and private interests to support conservation and make a lasting impact.

*Bureau of Land Management (BLM) Land Acquisition at \$93.397 million.*—The BLM and its National Conservation Lands provide some of our Nation's best recreation and historic areas. From fishing at the North Platte River in Wyoming to exploring ancient petroglyphs in the canyon at Agua Fria National Monument in Arizona, we request full funding of the agency's discretionary and mandatory project lists.

*National Park Service (NPS) Federal Land Acquisition at \$171.037 million.*—Hosting more than 292 million visitors every year, the over 400 National Park units provide an economic boost to their local communities and those employed directly and indirectly. Funding for NPS LWCF will help protect key access points for recreation, historic areas, trails and more, including at Little River Canyon National Preserve in Alabama and Olympic National Park in Washington. We respectfully request full funding of the agency's discretionary and mandatory project lists.

*U.S. Fish and Wildlife Service (FWS) Land Acquisition at \$164.772 million.*—National Wildlife Refuges (NWR) are our Nation's protectors of clean water, clean air, abundant wildlife and world-class recreation. Funding for fiscal year 2016 FWS LWCF will help protect water quality in the Chesapeake Bay area, critical wildlife habitat at Bear River Watershed Conservation Area in Utah, Idaho and Wyoming, and many other important places. We respectfully request full funding of the agency's discretionary and mandatory project lists.

*U.S. Forest Service (USFS) Land Acquisition at \$127.673 million.*—USFS LWCF funds help with forest management by protecting key inholdings and reducing fire threats. From the North Carolina Threatened Treasures to the Missouri Ozarks, we are working with willing landowners at priority project areas and respectfully request full funding of the agency's discretionary and mandatory project lists.

*LWCF State Grant Programs: FWS—Section 6 Cooperative Endangered Species Fund, NPS—State Conservation Grants, and USFS—Forest Legacy.* We encourage the subcommittee to fully fund fiscal year 2016 President's budget request for:

- FWS.—Section 6 Cooperative Endangered Species Conservation Fund: \$100 million.
- NPS.—State Conservation Grants: \$100.2 million.
- USFS.—Forest Legacy Program: \$100 million.

2. *DOI and USFS Land Acquisition Programs*

TCF encourages the subcommittee to fund:

- FWS.—North American Wetlands Conservation Fund: \$34.145 million.
- USFS.—Community Forest and Open Space Conservation Program: \$5 million.

3. *Department of Interior—Natural Resource Damage Assessment and Restoration Program at \$9.2 million*

The Restoration Program leads the national response for recovery of natural resources that have been injured or destroyed as a result of oil spills or releases of other hazardous substances. Recoveries from responsible parties can only be spent to implement restoration plans developed by the Trustee Council for each incident. These funds are one hundred percent private and represent the amount needed to restore environmental resources or compensate for lost public use since the damage in question. The fiscal year 2016 funds would allow the Program to add carefully targeted staff allocated to Interior bureaus and offices through its Restoration Support Unit in order to accelerate restoration activities.



4. *Environmental Protection Agency—Great Lakes Restoration Initiative (GLRI) at \$300 million*

TCF urges funding of GLRI at \$300 million. The Initiative provides critical support for on-the-ground restoration programs and projects targeted at the most significant environmental problems in the Great Lakes ecosystem. Over the past 5 years, the Initiative has opened up fish access to more than 3,400 miles of rivers, expanding recreational opportunities. It has also accelerated the cleanup of toxic hotspots, resulting in the delisting of three formerly contaminated sites.

5. *Environmental Protection Agency—State Revolving Funds*

TCF encourages the subcommittee to fund:

—Clean Water State Revolving Fund: \$1.449 million.

—Drinking Water State Revolving Fund: \$1.186 million.

6. *Reauthorization of the Federal Land Transaction Facilitation Act*

We support the fiscal year 2016 President's budget request to reauthorize the Federal Land Transaction Facilitation Act (FLTFA). FLTFA is a western Federal lands program that facilitates strategic Federal land sales by the BLM in order to provide funding for high-priority land conservation within or adjacent to Federal lands in the 11 contiguous western States and Alaska. Over 150 groups are working together to support Congress' efforts to reauthorize FLTFA. FLTFA expired in 2011, and reauthorization will enhance the lands and economy by facilitating Federal land sales and conservation transactions, at no cost to the taxpayer.

7. *Wildfire Disaster Funding Act (S. 235 and H.R. 167) and Avoiding Transfers to Wildland Fire Suppression*

We support the proposal in the President's budget that would avoid transferring funds Congress appropriates to other priority programs to fund wildland fire suppression. We support language mirroring the bipartisan Wildfire Disaster Funding Act (S. 235 and H.R. 167), which is needed to prevent future transfers and ensure that the USFS and DOI can achieve their land management objectives by implementing activities needed to address the growing buildup of hazardous fuels on Federal lands. This language provides the structure to fund a portion of the USFS and DOI wildfire suppression costs through a budget cap adjustment under the Balanced Budget and Emergency Deficit Control Act of 1985, as amended. The funding structure is similar to that used by other agencies who respond to natural disaster emergencies. We additionally request that the subcommittee appropriate the modeled levels of suppression through the Interior bill and the wildfire budget cap adjustment to meet suppression needs in fiscal year 2016.

The Conservation Fund stands ready to work with you to secure full and consistent funding for the LWCF, Forest Legacy, and the other critically important programs that help protect the environment, economies, forests, and community values across our Nation. Thank you for the opportunity to provide this testimony and your consideration of our request.

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PREPARED STATEMENT OF THE COOPERATIVE ALLIANCE FOR REFUGE ENHANCEMENT

Chair Murkowski, Ranking Member Udall, and members of the subcommittee:

Thank you for the opportunity to submit comments on the fiscal year 2016 Interior Appropriations bill. The National Wildlife Refuge System stands alone as the only land and water conservation system with a mission that prioritizes wildlife and habitat conservation alongside human, wildlife-dependent recreation. Since 1995, the Cooperative Alliance for Refuge Enhancement (CARE) has worked to showcase the value of the Refuge System and to secure a strong congressional commitment for conserving these special landscapes. Found in every U.S. State and territory, national wildlife refuges conserve a diversity of America's environmentally sensitive and economically vital ecosystems, including oceans, coasts, wetlands, deserts, tundra, prairie, and forests.

We thank you for the desperately needed funding increase for fiscal year 2015 and respectfully request a funding level of \$508.2 million for the Operations and Maintenance accounts of the National Wildlife Refuge System for fiscal year 2016.

This testimony is submitted on behalf of CARE's 23 member organizations, which represent over 16 million American hunters, anglers, bird and wildlife watchers, scientists and concerned citizens passionate about wildlife conservation and related recreational opportunities.

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|---|--------------------------------------|
| American Birding Association              | National Wildlife Refuge Association |
| American Fisheries Society                | Safari Club International            |
| American Sportfishing Association         | The Corps Network                    |
| Association of Fish and Wildlife Agencies | The Nature Conservancy               |
| Congressional Sportsmen's Foundation      | The Wilderness Society               |
| Defenders of Wildlife                     | The Wildlife Society                 |
| Ducks Unlimited, Inc.                     | Theodore Roosevelt Conservation      |
| Izaak Walton League of America            | Partnership                          |
| Marine Conservation Institute             | Trout Unlimited                      |
| National Audubon Society                  | U.S. Sportsmen's Alliance            |
| National Rifle Association                | Wildlife Forever                     |
| National Wildlife Federation              | Wildlife Management Institute        |

The National Wildlife Refuge System, established by President Theodore Roosevelt in 1903, protects approximately 150 million acres on 562 national wildlife refuges and 38 wetland management districts across the U.S. From the Virgin Islands to Guam and the Pacific marine national monuments, the Refuge System spans 12 time zones and protects America's natural heritage in habitats ranging from arctic tundra to arid desert, boreal forest to sagebrush grassland, and prairie wetlands to coral reefs. With a refuge within an hour's drive from most metropolitan areas, the Refuge System attracts a growing number of visitors each year (46.5 million in fiscal year 2013) with opportunities for hunting, fishing, wildlife observation, photography, kayaking, and outdoor education. In fact, from 2006–2011, during our Nation's greatest economic recession since the Great Depression, visitation to our national wildlife refuges increased by 30 percent.

Increased visitors and pressures on these lands from nearby development, a changing climate, and other impacts, combined with declining budgets have caused a steep decline in staffing levels within the Refuge System. The Refuge System is now \$72 million below what it needs to keep pace with inflation, relative to the fiscal year 2010 budget of \$503.2 million. Workforce has declined in that time by over 500 employees, who provided services such as administration, maintenance, fire management, and science support. That is a loss of  $\frac{1}{7}$  of the workforce, and the refuges simply cannot be maintained or provide the adequate visitor services, environmental education, access for hunting, and law enforcement that will ensure these lands are used as intended.

According to a report issued by the U.S. Fish and Wildlife Service in late 2013, *Banking On Nature*, these visitors generated \$2.4 billion annually to local and regional economies—on average returning \$4.87 in economic activity for every \$1 appropriated—and support 35,000 U.S. jobs. In addition, refuges provide major environmental and health benefits: filtering storm water before it is carried downstream to municipal aquifers, reducing flooding by capturing excess rainwater, and minimizing the damage to coastal communities from storm surges. According to a 2011 report by Southwick Associates, refuges generate more than \$32.3 billion in these ecosystem services each year, a return of over \$65 for every \$1 appropriated by Congress.

Budget cuts are impacting rural communities in Alaska—this year, the U.S. Fish and Wildlife Service (USFWS) office in McGrath was closed and management of Innoko National Wildlife Refuge (NWR) was complexed with Nowitna and Koyukuk NWRs in Galena. At its height in 2010, the McGrath office had 12 staff; now, only one outreach staffer is being maintained in the village. The office had direct connections with the rural villages in the area, and the Refuge System is now struggling to maintain those connections with one staffer. And perhaps more importantly, the economic impact and loss of the \$1 million to the village it took to run the office could have dire impacts to communities that surrounded it.

In New Mexico, Bosque NWR brings in hundreds of thousands of visitors every year to see the abundant bird populations that migrate through the refuge—particularly sandhill cranes. This summer, the visitor's center will close 2 days a week due to budget shortfalls. And over the last two decades, refuge staff has battled the invasive and water-hungry salt cedar. Staff no longer has the funding to continue to fight this fast-spreading tree at the levels they were, and it starting to spread again—at times in areas where the invasive plant had previously been completely removed. With the current drought conditions in the southwest, it is critical that refuge staff are provided the resources necessary to remove this species from the landscape and taxpayer dollars already spent on removal is not wasted.

At minimum, CARE estimates that the Refuge System needs at least \$900 million in annual operations and maintenance funding to meet conservation targets, including wildlife management and habitat restoration and opportunities for the public to recreate. Unfortunately, inadequate funding threatens the System's ability to carry

out its mission, mandated by the National Wildlife Refuge System Improvement Act of 1997. Between fiscal year 2010 and fiscal year 2013, Refuge System funding was reduced by \$50 million—a 10 percent cut. As a result, System performance levels dropped substantially.

The fiscal year 2013 Refuge Annual Performance Plan (RAPP) reports revealed falling performance rates in several important System categories, including habitat condition, habitat restoration, recreation opportunities, volunteerism, and scientific research. The following data shows the systemic impact of budget cuts from fiscal year 2010 to fiscal year 2014.

Measures for which performance declined from fiscal year 2010 to fiscal year 2014:

- Open water acres restored (– 89 percent)
- Wetland acres restored (– 69 percent)
- Acres of non-native, invasive plants controlled (– 63 percent)
- Number of invasive animal populations controlled during the year (– 59 percent)
- Acres of forest/shrubland improvement (– 56 percent)
- Acres treated for non-native, invasive plants (– 41 percent)
- Riparian miles restored (– 37 percent)
- Acres of farming (– 22 percent)
- Number of Inventory and Monitoring surveys accomplished (– 20 percent)
- Total refuge acres receiving needed management (– 9 percent)
- Number of volunteers (– 15 percent)
- Volunteer hours (down 6 percent from fiscal year 2011 to fiscal year 2014)
- Fishing visits (– 7 percent)
- Hunting visits (– 5 percent from fiscal year 2011 to fiscal year 2014)
- Waterfowl hunt visits (– 1 percent from fiscal year 2011 to fiscal year 2014)
- Big game hunt visits (– 9 percent from fiscal year 2011 to fiscal year 2014)
- Total “other” recreational participants (– 13 percent)

However, many measures increase for the Refuge System over this same time-frame:

- Photography participants (+ 45%)
- Number of boat trail visits (+ 21 percent)
- Acres of prescribed grazing (+ 11 percent)
- Number of auto tour visits (+ 11 percent)
- Wildlife observation visits (+ 8 percent)
- Number of visitors (+ 2.6 percent)

As habitat management declines, the System’s fragile ecosystems are subject to opportunistic invasive species. And the foothold they gain in refuge lands can quickly transfer to adjacent private and State lands; an issue of great concern in places like southeastern Idaho where the CARE group visited in 2012. Between fiscal year 2010 and fiscal year 2014, the System treated 41 percent less acreage for invasive plants and, sadly, saw a 63 percent drop in acreage where invasive plants were successfully controlled. One step forward and several steps back is an inefficient way to manage the Refuge System and threatens years of cooperative efforts with partners and landowners.

CARE thanks the subcommittee and Congress for the much needed increase in funding for fiscal year 2015. It was hoped that the budget increase could reverse the systemic declines in performance but because the System needs at least \$15 million annually to maintain management capabilities, there is in reality, the increase of \$4 million was in actuality a decrease. And unfortunately, emergencies nationwide such as natural disasters and looming endangered species listing could force the System to deal with these crises instead, further exacerbating the issues.

Understanding the constraints of the budget process, CARE is supporting the President’s request of \$508.2 million for fiscal year 2016, although it is substantially less than what the System needs. Albeit roughly half the optimal funding amount, \$508.2 million is a \$34 million increase, and we hope it may help the System maintain its ability to manage refuge lands as intended in their purpose. If the requested funding level is satisfied, the Refuge System can better address the following tasks:

- Conduct management and restoration activities to provide healthy habitats that attract wildlife and, in turn, draw visitors and increase economic return to communities;
- Keep refuges open and staffed so that quality recreational opportunities continue to be offered to the public;
- Maintain facilities and equipment used to serve the public and manage habitat;
- Provide law enforcement officers needed to keep refuge resources and the people who come to appreciate them safe.

Refuge visitation is growing and is expected to continue. In fact, from fiscal year 2010 to fiscal year 2014, the Refuge System welcomed 2.7 percent more visitors. However, refuges are losing valuable staff committed to visitors and volunteers. The number of volunteers dropped by 6 percent, particularly troubling considering this work force is a 20 percent boost to existing Refuge System staff. Refuges rely on volunteers for welcoming and greeting visitors, staffing refuge nature stores, maintenance, interpretation, and much more. Volunteer service, however, is only possible if the System is reasonably staffed and thus able to extend requisite volunteer training and oversight. Arguably, the System's mission cannot be fully achieved without refuge volunteers and Friends groups.

If the Refuge System is forced to sustain further reductions, future RAPP reports will likely show continued decline in the System's conservation work and public use opportunities. Funding cuts are already impacting America's refuges. If annual operations and maintenance funding does not rise, CARE anticipates further impacts both within and outside of refuge boundaries, including:

- A decrease in the use of prescribed fire, which is used on refuges both to improve habitat for wildlife and to reduce hazardous fuels that pose a wildfire risk to nearby communities;
- A decline in the number and quality of visitor programs, with visitor centers operating at reduced hours, and plans to add or expand hunting programs at refuges being postponed;
- Lost revenue for local communities as visitor numbers drop; according to the U.S. Fish and Wildlife Service (FWS) fiscal year 2013 budget justification, "Each 1 percent increase or decrease in visitation impacts \$16.9 million in total economic activity, 268 jobs, \$5.4 million in job-related income, and \$608,000 in tax revenue."
- Elimination of ancillary functions like FWS's operation of Henderson Field at Midway Atoll National Wildlife Refuge, which serves as a critical emergency landing site for trans-pacific flights, as well as the public's main window to the vast marine national monuments.

We urge Congress to fund the Refuge System at \$508.2 m in fiscal year 2016—to bridge the growing gap between what the System needs and what it receives, enabling refuges to continue moving America forward. On behalf of our more than 16 million members and supporters, CARE thanks the subcommittee for the opportunity to submit comments on the fiscal year 2016 Interior Appropriations bill, and we look forward to meeting with you to discuss our request.

#### PREPARED STATEMENT OF THE THE CORPS NETWORK

Chairman Murkowski, Ranking Member Udall, and members of the subcommittee:

My name is Mary Ellen Sprenkel and I am the President and CEO of The Corps Network; the national association of Service and Conservation Corps. The Corps Network has over 100 member organizations that operate in all 50 States and enroll over 23,000 young people between the ages of 16 and 25 each year. It is The Corps Network's mission to provide critical leadership to the Corps movement and to our Nation's Service and Conservation Corps as they harness the power of youth and young adults to tackle some of America's greatest challenges and transform their own lives.

The Corps Network respectfully requests that in fiscal year 2016 the subcommittee fund the following accounts:

- \$2,515,131,000 for "Operation of the National Parks."
- \$50,000,000 for the "Centennial Challenge" for the National Park Service.
- \$107,200,000 for youth programming across the DOI Bureaus.
  - \$37,500,000 for the National Park Service
  - \$28,200,000 for the U.S. Geological Survey
  - \$18,500,000 for the Fish and Wildlife Service
  - \$12,600,000 for the Bureau of Indian Affairs
  - \$6,000,000 for the Bureau of Land Management
  - \$3,500,000 for the Bureau of Reclamation
  - \$1,000,000 for the Office of Surface Mining Reclamation and Enforcement
- Increased funding for operational accounts of DOI Bureaus and USFS.

These programs will allow public land and water management agencies to engage young adults and veterans in meeting our Nation's backlogged maintenance needs; address record youth unemployment levels; prepare a diverse group of youth to be the next generation of natural resource employees and stewards.

Corps are comprehensive youth development programs that engage diverse young people in service projects that address important community and environmental needs. Through their service, Corpsmembers develop job and leadership skills. Corps also provide members with access to academic programming, counseling and additional support. Corps are a direct descendant of the Depression-era Civilian Conservation Corps, which mobilized about three million young men to dramatically improve the Nation's public lands in exchange for food, shelter, education, and a precious \$30-a-month stipend.

#### THE IMPACT IN NUMBERS

In 2015 alone, the Corpsmembers of the 100-plus member organizations of The Corps Network collectively:

- Restored and improved 125,000 acres of ecological habitat
- Maintained and improved 4,700 parks, gardens, and urban greenspaces
- Built and maintained 8,700 miles of trails
- Removed over 450,000 acres of invasive and exotic plant species
- Planted 2.3 million trees

#### CORPS ENROLL PARTICIPANTS REFLECTIVE OF AMERICA'S DIVERSITY

At present, our member Corps enroll over 23,000 Corpsmembers a year, the majority of whom come from diverse and disadvantaged backgrounds and are looking for a second chance to succeed in life. Many Corpsmembers are "opportunity youth," meaning that they have either dropped out of school or are unemployed at the time that they enter a Corps program.

Corpsmembers receive a wide range of personal and professional development opportunities and services including, but not limited to: guidance from adult leaders who serve as mentors and role models; academic programming designed to lead to a high school diploma or GED; opportunities to pursue certificates and credentials with demonstrated value; and a modest stipend—all to prepare them for postsecondary education and labor market success.

In 2012, 65 percent of all Corpsmembers were unemployed when they entered the Corps 31 percent were not in school and did not have a GED, 61 percent came from families below the poverty line, and 20 percent were formerly incarcerated or court-involved. After completing their programs, 54 percent of alumni said that they were employed or enrolled in further service. 68 percent reported that they were in college or a high school diploma/GED program.

#### QUALITY WORK

Each year, Corps complete hundreds of high-quality and often technical projects on public lands and waters. Project sponsors consistently express a high degree of satisfaction with the quality of work and productivity of Corps. Virtually all Federal project partners (99.6 percent) say they would work with Corps again.

Types of Corps projects include, but are not limited to:

- Protecting wildlife and improving access to public lands and waters
- Preparing communities for disasters and responding to disasters when needed
- Enhancing recreation on public lands
- Protecting communities and public lands from the devastating effects of wildfire
- Preserving historic structures
- Enhancing neighborhoods and community public spaces

#### COST SAVINGS

By partnering with Conservation Corps, Federal land and water management agencies achieve more with their operating budgets. Research conducted by the National Park Service's Park Facility Management Division indicates that hiring Conservation Corps to complete maintenance and trail projects resulted in significant savings.

The analysis considered 15 diverse trail and maintenance projects throughout the country in places including Mesa Verde National Park, Glacier National Park, Point Reyes National Seashore, and Voyageurs National Park. The research found that using Conservation Corps to complete maintenance and trail projects provided a cost savings of over 50 percent.

#### FISCAL YEAR 2016 REQUEST JUSTIFICATION

The Corps Network requests the committee's support for fiscal year 2016 programs that will allow public land and water management agencies to engage young adults and veterans to meet our Nation's backlogged maintenance needs, address

record youth unemployment, and prepare a diverse group of youth to become the next generation of natural resource employees.

The first two accounts that we request funding for fall under National Park Service and the third account is under the Department of the Interior. National Park “Operations” is a preexisting account governing operation of our national parks. The “Centennial Challenge” is an effective program launched during the George W. Bush Administration that would leverage private funds with matching Federal dollars for park projects throughout the country to restore facilities and improve the visitor experience. These funds will allow thousands of veterans, youth, and others to work on upgrading the National Park System for its 100th anniversary in 2016.

As the National Park Service prepares for its 100th Anniversary, Congress has an opportunity to invest in the popular and economically important National Park Service. An investment this year will help parks recover from years of underfunding and restore parks for the Centennial. Every dollar invested in the National Park Service generates \$10 in economic activity. The operations investment would provide for park rangers to maintain facilities and provide services to park visitors. The Centennial Challenge investment would allow for the park service to leverage private matching funds through a 1:1 match for specific projects.

The Department’s funding for youth programming would also provide work and training opportunities for young people and veterans during 2015 and 2016. The goal of these programs is to build the next generation of conservation and community leaders by supporting youth engagement and employment on public lands. A key component of the Department’s efforts will be partnering with youth organizations through the 21st Century Conservation Corps. The Department proposes that these programs provide work and training opportunities to 100,000 individuals ages 15 to 35 through 2017. We also support increased funding for the operational accounts at the U.S. Forest Service that could fund partnerships with Conservation Corps.

In addition, we appreciate the subcommittee’s support of the bipartisan Wildfire Disaster Funding Act (WDFA—H.R. 167; S. 235) and respectfully request the language be highlighted in the fiscal year 2016 Interior, Environment, and Related Agencies appropriations bill. This language provides the structure to fund a portion of the USDA Forest Service (USFS) and Department of the Interior (DOI) wildfire suppression costs through a budget cap adjustment under the Balanced Budget and Emergency Deficit Control Act of 1985, as amended. This would provide the USFS and DOI with a funding structure similar to that used by other agencies who respond to natural disaster emergencies. We additionally request that the subcommittee appropriate the modeled levels of suppression through the Interior bill and the wildfire budget cap adjustment to meet fire suppression needs in fiscal year 2016. The current wildfire suppression funding model and cycle of transfers and repayments has negatively impacted the ability to implement forest management activities. The Wildfire Disaster Funding bill would provide the USFS and DOI flexibility to reinvest in core land and water management activities which have been reduced in recent years due to a continued shift of limited resources to fund wildfire suppression.

#### ENGAGING THE NEXT GENERATION IN SERVICE TO PUBLIC LANDS

Beginning with the creation of the Civilian Conservation Corps during the Great Depression, and continuing to the recent launch of the 21st Century Conservation Service Corps Initiative, organizations like Anchorage Park Foundation’s Youth Employment in Parks program, Rocky Mountain Youth Corps in Taos, and Southeast Conservation in Chattanooga, have helped millions of young Americans gain job training, further their education, and contribute to America’s communities through service and the conservation of national and State parks, forests, and other treasured places.

The future of our Nation’s public lands depends upon the next generation becoming active resource stewards. I hope that you will provide the funding to put thousands of youth and returning veterans to work restoring some of America’s greatest historical, cultural, and natural treasures. With the approaching National Park Service centennial, billions in backlogged maintenance across all of the land management agencies, record youth unemployment, and the cost savings nature of public private partnerships, this funding is an absolute win-win for our country.

## PREPARED STATEMENT OF THE COUNCIL OF LAKE COMMITTEES

Dear Senator Murkowski and Senator Udall:

I write on behalf of the Council of Lake Committees (CLC), comprised of senior-level fishery resource managers from State, tribal, and provincial agencies surrounding the Great Lakes. The CLC appreciates the subcommittees' ongoing support for programs that sustain and restore the Great Lakes. I am writing to request \$17.5 million in fiscal 2016 appropriations for the U.S. Geological Survey's Great Lakes Science Center (GLSC). The GLSC conducts critical science activities essential to Federal, State, tribal, and provincial management programs throughout all five Great Lakes and in all eight Great Lakes States.

The Great Lakes are a vast natural resource, larger in area than the U.S. States of New York, New Jersey, Connecticut, Rhode Island, Massachusetts, Vermont, and New Hampshire combined. They are an international resource representing a massive economic engine. Nearly \$35 billion/year and 75,000 jobs are generated in fishing, tourism and related industries. Several independent sources estimate \$7.0 billion/year is directly attributable to Great Lakes fisheries. The highest quality science possible is required to inform wise fisheries, ecosystem and water resources management decisions in the Great Lakes.

Currently, the GLSC receives approximately \$8.5 million in appropriated funding to support science programs critical to management of these incredibly valuable resources. This funding level represents approximately 1.2 percent of the annual fisheries related revenue and less than 0.03 percent of the revenue attributable to closely related industries. Our request for \$17.5 million in fiscal 2016 appropriations represents an \$8.75 million increase above the President's fiscal year 2016 request, and reflects long-standing, well recognized needs for this chronically under-funded science program.

The CLC has a long history of support for the GLSC program. We strongly support the GLSC because the science they produce is essential to the day-to-day and long-term management of Great Lakes fisheries and ecosystems. Great Lakes management jurisdictions depend on the GLSC Deepwater and Invasive species programs to provide key data about long-term condition of fish communities, and for the development of tools and technologies needed to combat invasive species that threaten valuable sport and commercial fisheries. Despite our strong, ongoing support, we are frustrated that the funding deficiency for this program has only widened, and sequestration made a very tough budget situation considerably worse for GLSC programs. The GLSC's research capabilities, critical to Great Lakes management agencies, have been devastated by years of budget erosion, and worsened by a 6 percent cut from sequestration in 2013. None of the budget erosion or impacts of sequestration have been restored.

Now, for the first time since the President was elected, his 2016 budget highlights two areas where the USGS GLSC programs would experience relatively small budget increases. The President proposes: (1) a \$250,000 increase for the Great Lakes Deepwater Assessments; and (2) a \$2.0 million increase for Invasive Species (Bureau-wide). The language for the proposed add in the Fisheries Program for Great Lakes Fisheries Assessments (+\$250,000) is found on Page C-52 of the fiscal year 2016 USGS Budget Justification. Also important is a proposed initiative on New and Emerging Invasive Species (+\$2.0 million) in the Invasive Species Program found on Page C-26 of the fiscal year 2016 USGS Budget Justification.

The CLC believes that, in the current budget climate, it is important to carefully prioritize essential programs. The CLC believes strongly that the USGS GLSC plays a central role in supporting near and long-term initiatives of importance to the Federal Government, its State, tribal, and Canadian partners, and in maintaining the significant economic benefits derived from Great Lakes fisheries and associated industries. We request that you join the CLC and support at least \$17.5 million in fiscal year 2016 for the USGS GLSC activities which represents an \$8.75 million increase above the President's request.

[This statement was submitted by Steven R. LaPan, New York State Department of Environmental Conservation, *Chair*.]

## PREPARED STATEMENT OF THE THE CREATIVE COALITION

Chairwoman Murkowski, Ranking Member Udall and members of the subcommittee, thank you for the opportunity to submit written testimony regarding the fiscal year 2016 funding level for the National Endowment for the Arts (NEA). I am writing on behalf of The Creative Coalition, the 501(c)3, non-profit, non-partisan public advocacy organization of the arts and entertainment community, to urge Con-

gress to provide \$155 million for NEA in the fiscal year 2016 Interior, Environment, and Related Agencies Appropriations bill.

In 1989, actors Ron Silver, Christopher Reeve, Susan Sarandon, Alec Baldwin and others established The Creative Coalition to galvanize support for the arts and arts education. The Creative Coalition's membership includes actors, directors, producers, writers, entertainment industry executives, and others who make their living in theater, film, arts, letters and television. We take our roles as citizens very seriously and appreciate the opportunity to express our views on the importance of sufficient funding for the arts.

For the last 4 years, Congress has funded NEA at \$146 million, which, in real dollars, is less than the \$162 million provided for the Agency 20 years ago. Adjusted for inflation, NEA's funding is more than \$100 million lower each year than it was two decades ago, providing less than 50 cents per capita currently versus 70 cents per capita in 1992. While we recognize the fiscal year 2016 request of \$155 million for NEA is a slight increase over President Obama's proposed level of funding of \$148 million, \$155 million is a level that has been supported in recent fiscal years by both the President and at the Committee level. The requested level of funding would better leverage growing State, local and private arts funding and help to restore critical Federal arts programming—which supports creativity and innovation, and provides measured cultural, educational and economic benefits.

Federal funding of the arts is a wise investment and should be viewed as a genuine public-private partnership due to the significant private philanthropic support that Federal funds are leveraged against. Without Federal support, we would struggle to share the richness of our culture, our history and our legacy, which is a national treasure and should be buoyed with Federal resources so that all may enjoy it. The \$155 million request for NEA is a small investment when compared to the enormous impact it will have on the programs it supports and in the communities where it makes the arts come to life.

I speak from the heart and from my own experience. I grew up in a small, rural town in South Carolina. The arts were the lifeblood of the community both economically, culturally and spiritually. I grew up in a town where the prom was in the high school gym; folks bought their clothes in a general store; and the newspaper came out once a week. I also grew up in a town that invested in and revered the arts; world history came alive in high school plays and in community theatre productions; learning discipline, team work and strategic planning were the offshoot lessons of the school band; and mathematical skills were honed in design classes.

Speak to anyone of note in the areas of politics, business, media, community leadership and the entertainment industry, and you will find individuals who were drawn into the arts as young people. They were acting in community theater productions and school plays, playing in bands, spending their afternoons and weekends at local dance companies. The non-profit arts ecosystem nurtured them into the thought and idea leaders we know today.

#### I. THE POSITIVE IMPACT OF ARTS ON THE AMERICAN ECONOMY

Entertainment is a national commodity with international reach and revenue. Our Nation's entertainment industry and non-profit arts pipeline are American success stories in productivity and innovation. To maintain the Nation's leadership, we must sustain strong support for the arts as an industry, and as an educational investment.

According to statistics compiled by the Motion Picture Association of America, in 2013, the motion picture and television industry supported 1.9 million jobs and \$113 billion in total wages. In 2013, we had \$15.8 billion in film and television exports, with a trade surplus of \$13.4 billion, equal to 6 percent of the total U.S. private-sector trade surplus in services. This trade surplus for the industry is greater than the surpluses in the advertising, mining, telecommunications, management consulting, legal, computer, health related and insurance services sectors.

The economic impact of the entertainment industry extends far beyond those who appear in front of the camera. A single television series or a movie is a vast and profitable enterprise. A series can employ hundreds of people in high quality, high paying jobs. In addition, filming provides huge support to local businesses (i.e. caterers, dry cleaners, hotels, florists, hardware, lumberyards, software, and digital equipment suppliers) as well as jobs in other companies doing business with consumers, such as DVD and Blu-ray retailers, theme parks and tourist attractions. And, this economic activity takes place all across the country, not just in Hollywood or New York. Those who make their livings from the entertainment industry can just as likely be found shooting in New Mexico, North Carolina, or Michigan.



Statistics show that non-profit arts and culture organizations generate \$135 billion in annual economic activity, support more than four million full-time jobs and return nearly \$10 billion in Federal taxes.<sup>1</sup>

According to the U.S. Bureau of Economic Analysis, arts and cultural production contributed \$699 billion, or 4.3 percent, to the Nation's economy in 2012. This percentage represents a larger share of the economy than transportation, tourism and agriculture, and is larger than 45 States' individual contributions to the GDP. While the economy grew at a rate of 2.3 percent per year from 2007–2012, the category identified as Independent Artists, Writers and Performers' contribution to the economy was almost double at 4.4 percent.

With this rate of return, it should be clear that increasing Federal funding for non-profit arts organizations and events like those the National Endowment for the Arts supports, is a sound, positive investment. Community theaters, children's theaters, symphonies, arts centers, dance troupes, etc. are the R&D of America's vibrant arts economy. In 2014, the Sundance Film Festival, which started with the support of an NEA grant, generated over \$86 million for the State of Utah over an 11 day period. The NEA historically supports significant artistic outlets such as the Vietnam Veterans Memorial design competition, Spoleto Festival USA and PBS' "Great Performances." These are just a few examples which demonstrate how the arts empower our veterans and support our military, and establish the U.S. as an incubator for globally acclaimed performing artists. In the case of "Great Performances", a television program originally initiated with Federal funding, it is now sustained by private funding and continues to expose the American television audience to the finest in performing arts to which they may otherwise lack access.

The National Endowment for the Arts also provides desperately needed funding to smaller community arts efforts in cities and towns across America. NEA grants are intrinsic to communities building strong enterprise zones. Communities that are fortunate enough to receive a grant award from the NEA often see increased business activity as companies are able to offer employees and clients creative climates and more vibrant opportunities, which attracts and—most importantly—retains talent. Arts is indisputably revitalizing both rural and urban areas.

## II. FOSTERING AMERICANS' ACCESS TO THE ARTS

Every American, young and old, deserves to have access to the arts. It is the Federal investment in the National Endowment for the Arts that brings the arts into so many of our communities. According to its most recent annual report, the NEA awarded 2,276 grants in nearly 16,000 communities across the country. More than 38 million Americans, including seven million children and youth, attended a live arts event supported by the NEA. These events included approximately 70,000 concerts, readings, and performances and 1,600 exhibitions. As a recipient of a grant from the National Endowment for the Arts, organizations are able to leverage these dollars from a wide variety of private sources. For every grant dollar awarded, the recipient leverages at least \$9 dollars from other sources greatly multiplying the impact of the Federal Government's investment.

In addition to these live arts events, NEA grants support school-based arts programs that illustrate how arts education and arts in schools benefits students and prepares them for future success. Data shows that students with 4 years of arts education score roughly 100 points higher on their SATs. Despite the academic benefits of exposure to the arts, we are seeing a rising trend of eliminating arts programs when local school districts are forced to make cuts.

*Bottom line:* Without the support of NEA grants for arts education, fewer students would have the opportunity to participate in the arts and develop the creative skills that often lead to future success.

As a strong supporter of military families, The Creative Coalition is proud to be a partner with Blue Star Families to bring awareness to challenges facing our active-duty military families. Through our partnership with this outstanding organization, we have learned that military families often struggle to establish roots and make connections in their community as they move from base to base. As a result of a grant from the National Endowment for the Arts, our Nation's active-duty military personnel and their families, including National Guard and Reserve, are able to access more than 2,000 museums across America for free. Not only are these families able to access some of America's great cultural institutions, this program often allows them to better connect with their new communities by learning about local history, local artists and local traditions.

<sup>1</sup> Americans for the Arts, AEP IV study.

Federal funding for the NEA is critical to sustain many of the programs providing access to the arts for so many Americans. When public dollars for the arts are cut, we often see reductions in private funding as well. During the most recent economic downturn, we saw significant cuts in funding from philanthropic, corporate and private sources of funding for the arts. Sadly, when we reduce funding for the arts, the programs hardest hit are often ones for lower-income populations, rural communities and at-risk populations. Sufficient funding for the National Endowment for the Arts is the best way to ensure that all Americans will continue to have access to the arts in their communities.

#### CONCLUSION

The evidence is strong that the arts play an important role in our economy, our schools and our overall quality of life. The contributions of painters, musicians, poets and actors have greatly enriched our American culture and American artists have been a driving force in the world's largest economy. If we are to maintain our vital arts economy and ensure continued American competitiveness in a global market that increasingly values creativity, today, we must adequately invest in the arts and in the development of future American artists. As a result, The Creative Coalition urges the subcommittee to increase the funding level for the National Endowment of the Arts to \$155 million in fiscal year 2016.

Thank you for your consideration.

[This statement was submitted by Robin Bronk, *CEO*.]

#### PREPARED STATEMENT OF DANCE/USA

Ms. Chairman and distinguished members of the subcommittee, I am grateful for the opportunity to submit testimony on behalf of Dance/USA, its Board of Directors and its 500 members. We strongly urge the Subcommittee on Interior, Environment, and Related Agencies in the Committee on Appropriations to designate a total of \$155 million to the National Endowment for the Arts (NEA) for fiscal year 2016. This testimony and the funding examples described below are intended to highlight the importance of Federal investment in the arts, so critical to sustaining a vibrant cultural community throughout the country.

The NEA makes it possible for everyone to enjoy and benefit from the performing arts. Before the establishment of the NEA in 1965, the arts were limited mostly to a few big cities. The NEA has helped to strengthen regional dance, opera, theater and other artistic disciplines that Americans now enjoy. NEA funding provides access to the arts in regions with histories of inaccessibility due to economic or geographic limitations. The Endowment embodies the ideal that no one should be deprived of the opportunity to have art in their lives. The Arts Endowment has helped the arts become accessible to more Americans, which in turn has increased public participation in the arts.

*The NEA is a great investment in the economic growth of every community.* Despite diminished resources, including a budget that has decreased by over \$20 million since 2010, the NEA awarded more than 2,100 grants in 2014, totaling more than \$100 million in appropriated funds. These grants nurture the growth and artistic excellence of thousands of arts organizations and artists in every corner of the country. NEA grants also preserve and enhance our Nation's diverse cultural heritage. The modest public investment in the Nation's cultural life results in both new and classic works of art, reaching the residents of all 50 States and in every congressional district.

The return of the Federal Government's small investment in the arts is striking. In 2013, the American creative sector was measured by the Federal Bureau of Economic Analysis (BEA). The BEA and the NEA developed an "Arts and Cultural Production Satellite Account" which calculated the arts and culture sector's contributions to the gross domestic product (GDP) at 4.3 percent (or \$699 billion) of current-dollar GDP in 2012. Additionally, the nonprofit performing arts industry generates \$135.2 billion annually in economic activity, supports more than 4.13 million full-time equivalent jobs in the arts, and returns \$9.59 billion in Federal taxes.

On average each NEA grant leverages at least \$9 from other State, local, and private sources. Few other Federal investments realize such economic benefits, not to mention the intangible benefits that only the arts make possible. Even in the face of cutbacks in the recent years, the NEA continues to be a beacon for arts organizations across the country.

The return on investments is not only found in dollars. In 2012, 2.2 million people volunteered 210 million hours with arts and cultural organizations, totaling an esti-

mated value of \$5.2 billion—a demonstration that citizens value the arts in their communities.

#### NEA GRANTS AT WORK

Past NEA funding has directly supported projects in which arts organizations, artists, schools and teachers collaborated to provide opportunities for adults and children to create, perform, and respond to artistic works. NEA funding has also made the art form more widely available in all States, including isolated rural areas and inner cities; indeed, NEA funded projects cross all racial, geographic, and socioeconomic lines.

NEA grants are awarded to dance organizations through its core programs: Art Works; Challenge America Fast Track Grants; and Federal/State Partnerships. In fiscal year 2015, the NEA awarded 88 grants to the dance field through the first round of Art Works, totaling \$2,525,000.

Ballet Memphis  
\$10,000  
Memphis, Tennessee

To support the presentation of a new work titled, “I Am.” The work will include four original pieces titled “I Am Woman,” “I Am Man,” “I Am Child,” and “I Am.” “I AM will explore themes of self-definition, equality, and human value that have roots in the Civil Rights Movement and are still relevant today. “I AM Woman” will be choreographed by Gabrielle Lamb; “I Am Man” will be choreographed by Reggie Wilson; “I Am Child” will be choreographed by Julia Adam; and “I Am” will be choreographed by Ballet Memphis dancer Steven McMahon.

Dance St. Louis  
\$30,000  
St. Louis, Missouri

To support dance presentation and related activities. Companies to be presented include Tango Buenos Aires, Aspen Santa Fe Ballet, Compagnie Kafig, Nashville Ballet, as well as local companies. The project will include New Dance Horizons IV, a program where national choreographers create new works on St. Louis dance companies and the Spring Dance Festival, a presentation of Midwest dance companies. The project is also includes the Dance Education Residency Program, which will offer local dance students and companies master classed taught by professional dance company members as well as the expansion of the Dance Career Award program, which prepares high school dance students for college and careers in dance.

New Orleans Ballet Association  
\$40,000  
New Orleans, Louisiana

To support the presentation of dance companies and related educational and outreach programs. Presentations include Black Grace (New Zealand) and Union Tanguera (France). U.S. Companies include Limon Dance Company and Ballet West. Through dance activities that reflect the diversity of the community and the diversity of the art form, NOBA strives to infuse the arts of dance into the cultural fabric of New Orleans and the surrounding communities. Dance is presented on the concert stage and in community settings in large, intermediate, and small venues, with activities in theaters, art centers, university halls, recreation centers, and schools.

AXIS Dance Company  
\$20,000  
Oakland, California

To support Dance Access and Dance/Access Kids! educational and outreach programs in the Bay Area and on a national tour. These activities will offer a variety of events for youth and adults with and without disabilities who are based locally and nationally. Project activities may include dance classes, school assemblies, a dance camp for youth, teacher training, a dance apprentice program, workshops for emerging choreographers and professional dancers, community workshops, lecture demonstrations, and presentations.

White Bird  
\$40,000  
Portland, OR

To support the presentation of dance companies in the White Bird Uncaged series. New Israeli Voices in Dance: Hillel Kogan and Danielle Agami, Urban Bush Women, and other companies will be presented at Portland State University’s Lincoln Per-

formance Hall or at the Newark Theatre/Portland Center for the Performing Arts. Each visiting company will hold community activities that will include master classes for local students and dancers, mini-performances or workshops at a community center or school, and post-show discussions.

#### THE NON-PROFIT PROFESSIONAL DANCE COMMUNITY

America's dance companies perform a wide range of styles and genres. These include both classical and contemporary ballet, classical and contemporary modern, as well as jazz, tap, cross-disciplinary fusions and traditional to modern work rooted in other cultures. Over two-thirds of America's professional dance companies are less than 45 years old; as an established art form with national identity and presence, dance has burst onto the scene almost entirely within living memory. And yet, America can boast some of the greatest dance companies of the world and can take credit for birthing two indigenous dance styles—tap and modern dance.

One key to this spectacular achievement has been the creation of a national marketplace for dance. When the National Endowment for the Arts instituted its Dance Touring Program in the 1970s, great dance became accessible to every community in America. What used to be a handful of professional companies and a scattering of "regional" dance has become a national treasure spread across cities and through communities, schools and theaters in all 50 States. Based on data from almost 300 nonprofit dance companies from across the United States, Dance/USA estimates that dance companies:

- Employed over 14,800 people in a mix of full-time and part-time positions;
- Paid approximately \$345.7 million, or 53 percent of expenses, in wages and benefits;
- Earned \$200 million, or 29 percent of their income, from performances;
- Received \$326.6 million, or 48 percent of their income in contributions (including public support, corporate contributions, foundation support, and individual donations);
- Generated more than \$661.5 million in economic activity across the United States.

Dance/USA, the national service organization for the professional dance field, believes that dance is essential to a healthy society, demonstrating the infinite possibilities for human expression and potential, and facilitating communication within and across cultures. Dance/USA sustains and advances professional dance by addressing the needs, concerns, and interests of artists, administrators, and organizations. Dance/USA's membership currently consists of nearly 500 aerial, ballet, modern, culturally specific, jazz, and tap companies, dance service and presenting organizations, individuals, and related organizations. Dance/USA's member companies range in size from operating budgets of under \$100,000 to over \$50 million.

#### CONCLUSION

Despite overwhelming support by the American public for spending Federal tax dollars in support of the arts, the NEA has never recovered from a 40 percent budget cut in the mid-nineties and found its budget further decreased by almost \$22 million since 2010, leaving its programs seriously underfunded. We urge you to continue toward restoration and increase the NEA funding allocation to \$155 million for fiscal year 2016.

On behalf of Dance/USA, thank you for considering this request.

[This statement was submitted by Amy Fitterer, *Executive Director*.]

#### PREPARED STATEMENT OF THE DEFENDERS OF WILDLIFE

Mister Chairman, ranking member and members of the subcommittee, thank you for the opportunity to submit testimony for the record. Founded in 1947, Defenders has more than one million members and supporters and is dedicated to the conservation of wild animals and plants in their natural communities.

North America is fortunate to have some of the most abundant and diverse wildlife on Earth, more than 200,000 known species in the U.S. alone. This unique and irreplaceable heritage is treasured by all Americans both for its aesthetic value as well as for the very tangible benefits it brings as a resource. For example, a third of our food is pollinated by birds, bats, and insects; wildlife associated recreation generated \$145 billion in economic benefits in 2011;<sup>1</sup> bats provide at least \$3.7 bil-

<sup>1</sup>The 2011 National Survey of Fishing, Hunting, and Wildlife Associated Recreation, USFWS, 12/12.

lion to the agricultural industry in pest control services each year;<sup>2</sup> and the value of ecosystem services from habitat in the contiguous 48 States is estimated at \$1.6 trillion annually.<sup>3</sup> Budget cuts since fiscal year 2010 to Federal programs that conserve wildlife and habitat have severely undermined sound management. Continued cuts will likely lead to irreversible harm to vulnerable species and habitat. Our Nation's wildlife is a treasure and well worth the investment to properly care for it.

Defenders also strongly opposed the inclusion of the sage-grouse rider in the final fiscal year 2015 appropriations bill. We ask that the subcommittee keep the fiscal year 2016 bill free of this rider and any others that would undermine science-based decisionmaking under the Endangered Species Act.

#### FISH AND WILDLIFE SERVICE

The U.S. Fish and Wildlife Service (FWS) is our Nation's premier wildlife conservation agency. FWS needs adequate funding, not cuts, if it is to recover threatened and endangered species and protect migratory birds and fish, species of global conservation concern and other trust species, and stop or prevent wildlife crimes. After adjusting for inflation, appropriations for Ecological Services have steadily declined after 2010, despite the addition of almost 280 listed species since then.

*Cooperative Recovery.*—Defenders supports the President's requested increases of \$2.5 million in Conservation and Restoration under Ecological Services, \$2 million in National Wildlife Refuge System Operations and Maintenance, and \$300,000 under Migratory Bird Management. This initiative is supporting more efficient and strategic efforts across landscapes to recover threatened and endangered species on National Wildlife Refuges and surrounding lands.

*Renewable Energy.*—Defenders supports the President's requested increases of \$1.2 million in Planning and Consultation under Ecological Services to support approvals of renewable energy projects while ensuring they comply with relevant environmental laws, and \$1.4 million under Service Science to assess potential impacts of energy transmission corridors on sensitive lands and wildlife in the West and to identify mitigation strategies.

*Endangered Species.*—The President's request again proposes a major restructuring of the Ecological Services Activity, which includes the Endangered Species program. Defenders continues to be concerned about whether the new structure will allow for adequate transparency and accountability, particularly in the large "General Program Activities" program elements. Before any such restructuring is permitted, the agency must show that it has adequate controls in place to ensure the strategic use of this funding and a transparent process for developing priorities and reporting how funds are allocated. Absent this information, Defenders supports maintaining the current budget structure and supports the requested increases for the endangered species portion of Ecological Services, \$23.2 million, which includes:

- A \$4 million increase to support the unprecedented effort to conserve the greater sage-grouse and its sagebrush habitat, part of a new sagebrush steppe initiative for fiscal year 2016.
- A \$2.5 million increase for listing that will support progress in listing decisions for approximately 145 candidate species, many of which have awaited Endangered Species Act (ESA) protection for years.
- An \$11 million increase to support the recovery of the more than 1,500 listed U.S. species so that ESA protection is no longer necessary.
- A \$5.5 million increase for consultation so that development projects can move forward in compliance with section 7 of the ESA.
- Defenders opposes a \$1 million reduction for the Wolf Livestock Loss Demonstration Program that assists livestock owners co-existing with wolves, and we urge its restoration.

*National Wildlife Refuge System (NWRS).*—Our National Wildlife Refuge System is the largest land and water system in the world dedicated to wildlife conservation. Refuges provide enormous benefits to the American people, generating \$2.4 billion each year for local economies. Defenders supports the \$34 million increase in the request which includes funding for inventory and monitoring and for Challenge Cost Share projects to build resiliency in the face of climate change.

We also support legislative language proposed by the administration that would provide authority to recover compensation from responsible parties who injure or destroy Refuge System or Hatchery System resources similar to that of the National

<sup>2</sup> <http://www.sciencemag.org/content/332/6025/41.summary?sid=853248fd-6760-4341-93d0-2aeeab9ea450>.

<sup>3</sup> The Economics Associated with Outdoor Recreation, Natural Resources Conservation and Historic Preservation in the United States, Southwick Associates, 9/29/11.

Park Service and the National Oceanic and Atmospheric Administration and allows compensation to be applied directly to repair the injury without further appropriation by Congress.

*Science Support.*—The requested \$14.7 million increase will help to answer pressing questions about climate adaptation and other landscape level ecological changes as well as about energy development impacts and mitigation for sensitive species, White-Nose Syndrome that is devastating bat populations, and other agency management challenges.

*Migratory Bird Management.*—U.S. bird populations have experienced precipitous declines in recent years. Defenders supports the \$7.1 million requested increase which includes funding for building resilience of bird species and their habitats through the Joint Venture partnerships.

*Environmental Contaminants.*—Under Ecological Services, a requested \$1.2 million increase in Planning and Consultation will help to support the process for national consultations related to pesticide registrations and a requested \$2 million increase in Conservation and Restoration will help increase capacity to respond to impacts of contaminant releases.

*Office of Law Enforcement.*—An \$8.7 million increase requested by the President will support needed wildlife science forensics experts, intelligence agents, and special agents to combat the unprecedented level of illegal trade in wildlife.

*Other key grant programs.*—Defenders supports the requested funding amounts for the Multinational Species Conservation Fund, the Neotropical Migratory Bird Fund, and the Cooperative Endangered Species Fund (CESF) and for State and Tribal Wildlife Grants. In addition, we are opposed to the request to fund non-land acquisition planning and conservation grants from the Land and Water Conservation Fund under the CESF.

#### FOREST SERVICE AND BUREAU OF LAND MANAGEMENT

The Bureau of Land Management (BLM) and the U.S. Forest Service (FS) are essential to the conservation of wildlife and their habitat in the United States, yet their allocated funding is inadequate to address significant challenges to sustain these resources. A top priority for Defenders is ensuring that development on these lands proceeds in a sustainable way that maintains the ecological integrity of our public lands and waters, conserves wildlife habitat and populations, and contributes to agency efforts to successfully recover our most imperiled wildlife. We urge strong oversight to ensure that any energy development is done in an environmentally sensitive fashion and in low conflict areas. Given their large land ownerships it is imperative that both participate fully in landscape level conservation and management efforts. We are encouraged by BLM's innovative efforts in the Western Solar Program and consider it an example of how land management agencies can improve landscape level decisionmaking for energy development.

*FS Integrated Resource Restoration (IRR)/Wildlife and Fisheries Habitat Management.*—The administration has again proposed merging a number of accounts, including Wildlife and Fisheries Habitat Management, into an integrated budget. Instead, Defenders supports maintaining funding for Wildlife and Fisheries Habitat Management at no less than the fiscal year 2015 level of \$140.5 million and continuing IRR as a pilot until the agency demonstrates its ability to adequately protect habitat for fish and wildlife under the consolidated program. Defenders continues to be concerned that wildlife program activities may be marginalized under IRR and that hard timber targets may detract from integrated restoration.

*FS Land Management Planning/Inventory and Monitoring.*—The request again proposes merging these two programs into a single line item. As with IRR, Defenders is concerned about consolidating these functions unless and until the agency can demonstrate its ability to carry out its responsibilities under each program independently. We urge continued discrete funding as separate programs at no less than the fiscal year 2015 level.

*FS Collaborative Forest Landscape Restoration Program.*—We support the requested increase of \$20 million for this proven cost-effective program established specifically to stabilize employment, offer a reliable wood supply, restore forest and watershed health, improve wildlife habitat, and reduce both the costs of fire suppression in overgrown forests and the risk of uncharacteristic wildfires.

*FS Forest and Rangeland Research (FS R&D).*—We are opposed to the \$4 million cut in the request for FS R&D, which includes a cut of \$2 million for Wildlife and Fish R&D. We urge funding at no less than the fiscal year 2015 level of \$296 million which included \$27.1 million for Wildlife and Fish R&D. Adequate funding for this program is crucial in providing relevant tools and information to support sustainable management of National Forest System lands as well as non-Federal forest

lands. Generally, we are concerned that the Forest Service may lack adequate applied scientific capacity both in R&D and the National Forest System to implement critical planning and management actions, including the 2012 Planning Rule.

*BLM Wildlife and Fisheries Management.*—Defenders supports the requested \$37 million increase for the new sagebrush steppe initiative as long as it is paired with strong science-based conservation measures to protect and restore the sage-grouse and 350 sagebrush-dependent species of conservation concern. We continue to be concerned that Federal plans being developed under the National Greater Sage-Grouse Planning Strategy will be inadequate to conserve the species as we reported in our analysis of the draft plans in *In the Red: How Proposed Conservation Plans Fail to Protect Greater Sage-Grouse*. We urge the subcommittee to work with the agency to ensure that the plans are improved so that the final plans will be adequate to conserve and restore this iconic species.

*BLM Threatened and Endangered Species Management.*—According to agency reports, the BLM has funding to implement only about 10 percent of the work it is required to do in recovery plans for ESA listed species on BLM lands, but the administration's request includes just a \$109,000 increase fiscal year 2015. Defenders supports an increase of \$1 million over the request which simply restores the budget to the fiscal year 2010 level and will better help move listed species to recovery.

*BLM Renewable Energy.*—Full funding of the \$29.4 million request will help BLM to move forward with renewable energy development on public lands while avoiding areas with natural resource conflicts, including conflicts with sensitive wildlife species.

*BLM Resource Management Planning, Assessment and Monitoring.*—The \$21.2 million increase in the President's request will support the sagebrush steppe initiative, data collection and monitoring and the development of a new geospatial initiative to better monitor ecological conditions and trends on the landscape.

#### U.S. GEOLOGICAL SURVEY

The U.S. Geological Survey provides the basic science necessary for conservation of fish, wildlife and habitat. We urge support for the following increases:

*National Climate Change and Wildlife Science Center/Climate Science Centers.*—A \$10.6 million increase in the request will support scientific needs in planning for climate change adaptation and building resiliency of ecosystems.

*Ecosystems.*—A \$19.3 million increase in the request will help to support development of crucial scientific information for sound management of our Nation's biological resources including research into declines of native pollinators and measures needed to avoid harming sensitive wildlife, especially bats and birds, from renewable energy development.

#### LAND AND WATER CONSERVATION FUND (LWCF)

Defenders supports the proposal in the request for full and permanent funding of LWCF that will help to save some of the 6,000 acres of open space, including wildlife habitat, that are lost each day in the U.S.<sup>4</sup> Thank you for the opportunity to testify.

#### PREPARED STATEMENT OF THE "DING" DARLING WILDLIFE SOCIETY

In recent years the annual operations and maintenance budget for the National Wildlife Refuge System has significantly failed to keep track with its needs. At the J. N. "Ding" Darling National Wildlife Refuge on Sanibel Island, Florida, the result has been a decline in staff levels, unfilled job openings, delayed maintenance, postponed research, and deferred projects. The refuge simply cannot fulfill its commitment to our visitors and to the American public in general without a remedy to this situation. On behalf of the "Ding" Darling Wildlife Society, I earnestly request your support for the recommendations of the National Wildlife Refuge Association, which asks that the Federal budget for the National Wildlife Refuge System be fully funded at \$900 million, with appropriation of \$508.2 million for fiscal 2016.

The "Ding" Darling Wildlife Society is a non-profit friends organization that supports environmental education, research, land acquisition, special projects and services at the refuge. The refuge is the second most popular attraction for visitors to Southwest Florida (after our beaches) with over eight hundred thousand annual visits. Many visitors identify the refuge as their primary reason for visiting this part of Florida. As a result, the refuge has a dramatic positive impact on the local econ-

<sup>4</sup> [http://www.fs.fed.us/openspace/coop\\_across\\_boudaries.html](http://www.fs.fed.us/openspace/coop_across_boudaries.html).

omy returning some \$34 to the local economy for every Federal dollar appropriated to the refuge, an impact directly threatened by inadequate Federal refuge funding.

We also request your support for the remaining legislative priorities of the National Wildlife Refuge Association. We particularly emphasize the need to appropriate funding in fiscal year 2016 from the Land and Water Conservation Fund which will permit the acquisition of key land areas to enhance the ecological integrity of the National Wildlife Refuge System. Additionally, we view the funding of proactive public-private partnerships as a vital and cost-effective way to secure those species at risk from listing under the Endangered Species Act.

Thank you for your consideration.

[This statement was submitted by Doris Hardy, *President*.]

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PREPARED STATEMENT OF THE "DING" DARLING WILDLIFE SOCIETY—FRIENDS OF THE REFUGE

Madame Chair and members of the subcommittee:

With 563 Refuges in our country encompassing more than half a billion acres of land and water our National Wildlife Refuges need increased financial support. This is imperative if we are to continue to protect and conserve our wildlife while at the same time providing opportunities for all Americans to enjoy the benefits of conservation and wildlife protection. It is now more important than ever that we all come together and become stewards of habitat protection and protectors of our wildlife.

I am starting my 11th year as a volunteer at the J.N. "Ding" Darling National Wildlife Refuge on Sanibel Island, Florida. As such I have witnessed the recreational and educational activities for visitors and the conservation and wildlife protection that is provided for the variety of refuge inhabitants.

Recently the "Ding" Darling Wildlife Society—Friends of the Refuge produced an informational rack card entitled: "Banking on Nature". Here are a few of the facts that were included:

- Our ecotourism includes a variety of activities such as wildlife observation and birding, biking, boating, fishing, paddling, hiking, education, and others, many of which are free to the public.
- Florida ranks second behind California in the number of people participating in wildlife viewing recreation.
- 816,000 annual visitors come to our Refuge.
- \$30. Is the amount generated in the local economy for every Federal dollar invested in our Refuge.

There can be no doubt that wildlife refuges have a tremendous impact on the economy as well as on the well being of both wildlife and our citizens. Therefore I respectfully request for fiscal year 16 \$508.2 million for the National Wildlife System, ask that \$73.8 million for the Land and Water Conservation Fund be provided and that all 2015 Conservation Funding Priorities as set forth by the National Wildlife Refuge Association be supported.

We need your help to continue to provide the opportunity to educate and inspire visitors and to offer a safe home for refuge inhabitants whether it is for a season, a week or a lifetime.

Thank you.

[This statement was submitted by Doris D. Hardy, Ed.D, *President*.]

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PREPARED STATEMENT OF DAVID M. "LEFTY" DURANDO

As a rancher and a member of the Northern Everglades Alliance, I thank you for your past support of the Everglades Headwaters National Wildlife Refuge (EHNWR). The Everglades Headwaters National Wildlife Refuge and Conservation Area was established in 2012 as a result of unprecedented cooperation among Federal agencies, State agencies, cattle ranchers, sportsmen, and conservation groups. We respectfully request that you fully fund the Land and Water Conservation Fund and to specifically sustain funding for the refuge at the level of \$10 million for fiscal year 2016. The monies from the LWCF fund are needed to purchase 100,000 acres of conservation easements over working ranch lands and to purchase 50,000 acres of fee simple lands within the headwaters of the Everglades.

The Northern Everglades Alliance has 25 ranchers, farmers and landowners that own one million acres in the area. The NEA will continue to work with the administration and Congress to secure the necessary funding to maintain Florida's ranches



and farms, water supply and wildlife. The request for \$10 million for fiscal year 2016 is needed for the Everglades Headwaters in the U.S. Fish and Wildlife Service (FWS) land acquisition program because land values are rising fast and development pressure has returned to Florida. Individual landowners are working closely with the FWS to complete easements on ranches and farmers in the Everglades Headwaters.

There are additional Federal and State funding sources that will be used for the Everglades Headwaters project. The State of Florida has provided funding for easements and land acquisition programs. The Florida Forever program, operated by the Florida Department of Environmental Protection, provides conservation easement monies for lands and the Rural and Family Lands program, operated by the Florida Department of Agriculture, provides easement funds for working agricultural lands. Both programs are partnering with FWS to protect high priority lands within the EHNWR. The State and Federal partnership is critical to the success. The Water and Land Legacy amendment (ballot initiative) was approved last November; this amendment will provide for dedicated revenue for land conservation annually for the next 20 years.

The EHNWR leverages existing efforts by the Natural Resource Conservation Service and the Department of Defense. Over the past 4 years, NRCS has provided over \$300 million through the Wetlands Reserve Easement Program for Florida projects. The Department of Defense, through the Readiness and Environmental Protection Initiative buffer program, has spent \$2 million to create buffers and easements surrounding the Avon Park Air Force Range. NRCS and DOD have signaled their interest in prioritizing additional funding for the Everglades Headwaters and are important partners.

By protecting agricultural lands in the Kissimmee River basin and their ability to store and filter water, we are protecting the future of the State. Cattle ranching is one of Florida's most important agricultural industries and with drought conditions in the west, Florida ranchers are making a significant contribution to American beef production at a crucial time.

Agriculture is second only to tourism as an economic driver in Florida. Through this plan, agricultural communities are able to preserve the way of life that makes these landscapes so special, while achieving conservation goals, watershed protection, military readiness and increasing opportunities for recreation, such as hunting and fishing, proven economic drivers to local communities. Existing Florida refuges return huge rates of economic output in relation to what is appropriated to run them; A.R.M Loxahatchee NWR returns \$6.81 annually for every \$1 appropriated; Hobe Sound NWR returns \$9.88; Merritt Island NWR returns \$17.61; Santee NWR returns \$14.54; and St. Marks returns \$10.62.

The Everglades Headwaters National Wildlife Refuge and Conservation Area will help maintain open land north of Lake Okeechobee, which is the most efficient and cost effective method of enhancing water quality and increasing water storage to help satisfy Florida's water needs. It will also help preserve agriculture in this region, safeguarding a vital industry that employs thousands and helps secure our Nation's food supply. Sportsmen, birdwatchers, and wildlife tourism participants generate enormous economic return for every one-dollar invested. An investment in the Everglades NWR and Conservation Area makes good conservation sense, good national security sense for both military preparedness and food production and good economic sense.

We appreciate your leadership and ongoing support for the Everglades Headwaters. We look forward to working with you and your staff in the coming year. Thank you for your consideration of this request.

[This statement was submitted by David M. "Lefty" Durando, Durando Ranches, Member, Northern Everglades Alliance.]

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PREPARED STATEMENT OF THE DZILTH-NA-O-DITH-HLE COMMUNITY GRANT SCHOOL (DCGS)

Thank you for the opportunity to submit testimony on behalf of the Dzilth-Na-O-Dith-Hle Community School (DCGS) on the Navajo Reservation in Bloomfield, New Mexico. Our school, which has been in continuous service since 1968, operates a K-8 educational program and a dormitory program for students in grades 1-12, serving around 250 students in both programs. DCGS is a tribally controlled grant school is located approximately 170 miles northwest of Albuquerque. DCGS is primarily funded through appropriations received from the BIE, and pass-through funding from the Department of Education.

Our all-Navajo Board operates the DCGS through a Grant issued by the BIE under the Tribally Controlled Schools Act. The DCGS goal is to make a difference in the educational progress of our students and we believe that all of our students are capable of achieving academic success. However, we struggle with underfunding of practically every one of our educational and related programs that impacts our ability to fully meet our school goals and our ability to successfully operate our programs under the Indian Self-Determination policy.

Our recommendations can be summarized as follows:

- Protect school funding from the proposed Federal bureaucratic expansion.
- Increase ISEP funding to \$431 million in fiscal year 2016.
- Fund Student Transportation at \$73 million, and BIA road maintenance at \$40 million.
- Fully fund Tribal Grant Support Costs in line with the administration’s proposal.
- Provide \$109 million for facilities operation and \$76 for facilities maintenance.
- Embark on a comprehensive 60-year plan for school replacement and upkeep.

#### 1. PROTECTING SCHOOL FUNDING AND PROGRAMS FROM FEDERAL EXPANSION

You have heard over the last year from us and other schools about our concerns with the BIE’s “Blueprint for Reform” and its “One-Grant Initiative.” We do not doubt the administration’s commitment—even the President himself has commented on the issue. This new level of visibility and attention, along with the strong commitment of this subcommittee signal we have entered a new era for Indian education. However, coming from the local reservation community, we have a different perspective on what will be the best strategies to use to reach the goals of improvement. We fear that our perspectives are not being heard.

Without delving into the detail of the Blueprint for Reform and the Secretarial Order that accompanied it in June of last year, we want to express our concern that the efforts will serve to centralize authority and decisionmaking in BIE headquarters, instead of at the local level as Congress intended and required by enacting the Tribally Controlled Schools Act. Proposed reforms in the Blueprint and Order that would direct the limited amounts of new funding to the Federal bureaucracy rather than to the schools are missteps. Successful reform must be carried out from the ground up, not the top down—something BIE has ignored given the poor outreach when drafting the Blueprint and practically no opportunity for consultation on its proposals. Additionally, the expansion of funding “incentives” is less of an attempt to encourage best practices, and more of a stick with which to prod schools that resist bureaucrats seeking to dictate how their schools function.

The Navajo Nation was the recipient of one of the “Sovereignty in Indian Education” grants from the BIE last year, funding from which was used to produce a “feasibility study” by the Nation’s education department on whether it could consolidate all education funding due to the Nation into a single grant under the BIE’s “One-Grant Initiative.” Through this process it has become clear that the BIE is pushing the Nation to sign on to the initiative before the Nation and its communities have had a chance to adequately evaluate the issue. The feasibility study suffered from the same defects as the Blueprint did: it was put together without local or school input, and was pushed forward without consultation with those it affects. Fortunately, the schools and Navajo Nation leaders have begun to more carefully examine the One-Grant process, and have engaged our schools in the process. Despite this, the BIE is still pressuring adoption before the Navajo Nation’s internal process is completed.

The one-grant prospect may work for a tribe with a few schools, but the Navajo Nation has 64 schools spread over an area bigger than many States. Partly because of this, our communities make local decisions for our schools. Yet the BIE wants to add another layer of bureaucracy between it and schools like ours, and have used its grant funding as a way to pressure tribes to agree. Not only is this contrary to the idea of self-determination, it is contrary to the tenets of local control under the Tribally Controlled Schools Act (TCSA).

BIE officials have said that none of the proposed reforms in the Blueprint are mandatory, and that it is up to the tribe to choose to participate. The choice to participate might be meaningful if we were in a situation of full-funding and with abundant alternative funding sources. However, the programs in the Blueprint are tied to funding resources—no BIE funded school has the luxury of bypassing funding opportunities. Accordingly, we request that the subcommittee reprogram funds intended for the reforms (like some of those contained in the “Enhancement” line item of the budget) to ISEP and Facilities Operations. Any funding for the BIE’s

reforms or experiments must come from outside the Indian education budget—our funds are scarce as is, and must not be diverted away from students.

## 2. INCREASE FUNDING FOR INDIAN SCHOOL EQUALIZATION PROGRAMS

The most critical stream of funding for community grant schools like ours is increased funding in the Indian School Equalization Program (ISEP). The ISEP funds are those that schools use for the day to day operation, whether that is paying teachers and staff, purchasing curriculum and supplies, or running student programs. Today, our ISEP funds are often put under pressure by unfunded needs elsewhere in our schools, which could be paying utilities or repairing one of our school buses. We also need increases in this funding to attract teachers to our school, since we are remote and some teachers find a small school environment challenging. We do not want to be in the situation where we are left only with those teachers that cannot find a job elsewhere. This hardship also makes the job of administrators, counselors, and support staff more challenging, meaning it is increasingly difficult to hire the all-star teachers our students deserve. Our wages and benefits must be sufficient to make up for the competitive disadvantage.

This year, we are gratified to see the administration has requested \$391.8 million for ISEP funding, an increase of \$5 million to the program. However, the need in our schools is much greater. The National Congress of American Indians has recommended that Congress appropriate \$431 million for ISEP funding, which we think should be this subcommittee's baseline for funding this budget year. ISEP is our schools' lifeblood, and we are still struggling to make up for losses in past years.

## 3. INCREASE FUNDING FOR STUDENT TRANSPORTATION

One of our school's largest challenges is getting our children to school and back home. Maintenance costs for our vehicles are higher than normal for several reasons, including the fact that they travel more miles per day than the average school bus, those miles are often very rough, and the cost of maintaining our buses includes long transport time to garages or parts stores. This is not to mention the cost of fuel to cover those extra miles! Our funds are stretched so much that we struggle to get our students to extracurricular activities like sports or field trips that students at non-Indian schools enjoy as an everyday convenience.

The administration has requested \$53.14 million for student transportation, but that is simply not enough given the challenges of our roads and equipment. We request at least \$73 million for student transportation in the BIE system. Such funding will enable us to maintain our six school buses, and will protect other funds that would otherwise be used for this purpose.

We request that this subcommittee fund BIA road maintenance at a sustainable level. The condition of our roads is directly affecting our students' ability to learn. The administration has only requested an increase of \$232,000 to the already meager \$26.5 million budget for road maintenance. We echo NCAI's recommendation that the subcommittee appropriate at least \$40 million for road maintenance in fiscal year 2016.

## 4. WE SUPPORT THE PRESIDENT'S PROPOSAL TO FULLY FUND TRIBAL GRANT SUPPORT COSTS.

Tribal Grant Support Costs (TGSC) (formerly known as Administrative Cost Grants) are the BIE analogue to Contract Support Costs, and are necessary for schools like DCGS to operate our schools. Not only do the TGSC funds pay for the administration of the school, but also fund all indirect costs like payroll, accounting, insurance, background checks and other legal, reporting, and recordkeeping requirements. TGSC also enables schools to comply with the increasingly burdensome reporting requirements imposed by BIE or to comply with grant funding.

This year, the administration has proposed to fully fund TGSC, and to include in the budget funding for schools transitioning from BIE-operated status to local control and grant funding. Up to last year, schools had only received, at most, two-thirds of the TGSC needed to cover overhead costs. DCGS welcomes this long overdue change, and applauds this subcommittee's and the administration's decision to treat schools' support costs the same as contractors with the BIA and the Indian Health Service. We support the administration's proposal that TGSC and startup costs be funded at \$75.34 million.

## 5. OUR SCHOOLS NEED FULL FUNDING FOR FACILITIES OPERATION AND MAINTENANCE.

The condition of BIE-funded schools is a national disgrace, and has been the subject of national news attention for years. Some schools in the country are forced to

teach their students in converted bus barns or go without hot water. We do the best we can with our facilities at Dzilth-Na-O-Dith-Hle, but constantly struggle with the fact that we do not have enough funding for maintenance of our buildings, utilities, and everyday repairs.

The operation of our facilities is an important one, not only for the comfort of our students, but one that affects their health and safety. It is hard to learn and progress if you're too cold, or if you're too hot due to radiator problems. Additionally, our cafeteria can only serve sack lunches because of water line leaks that make our kitchen inoperable. In the last year it was reviewed, the BIA listed our school condition as "poor" with a deferred maintenance backlog of over \$7.7 million dollars. Our backlog has only grown in the intervening 4 years, and our students are the ones who suffer as a result.

We appreciate that the administration has finally moved to complete the replacement of schools on a list dated from 2004, but we need to stress that these needs are ongoing. Further, it is critical for our schools to have the funds to maintain and thus lengthen the useful life of our facilities. We support the BIE's request for school construction, but request that funding for facilities operation and maintenance be increased to \$109 million for operations and \$76 million for maintenance. This will help us meet our ongoing needs, and will set us on the path to catching up with deferred maintenance from past years.

We also note that the completion of the 2004 school replacement list means that a new round of replacements will begin. We want to stress that this subcommittee and BIE must work together, with schools and tribes, to put together a comprehensive, long-term plan for school construction and maintenance. We call on the subcommittee to embark on a 60-year schools replacement plan with adequate funding to maintain buildings throughout their life. Recent testimony from the Governmental Accountability Office reported that even new construction is starting to fail because of inappropriate maintenance or poor construction oversight. Our schools want to protect the Federal investment in our students' education, and we ask the subcommittee to empower local communities to do so by removing bureaucratic hurdles inherent in the BIE facilities system. As school boards, we are the best decision makers.

Thank you for the opportunity to submit testimony.

[This statement was submitted by Ervin Chavez, *School Board President* and Faye BlueEyes, *Assistant Executive Director*.]

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#### PREPARED STATEMENT OF THE ECOLOGICAL SOCIETY OF AMERICA

Chairman Murkowski and Ranking Member Udall:

On behalf the Ecological Society of America, the world's largest society of professional ecologists, we urge you to support \$1.6 billion for the U.S. Fish and Wildlife Service (FWS) in fiscal year 2016, a 9 percent increase over fiscal year 2015.

The Service's provides important work in habitat conservation and endangered species protection through its 551 National Wildlife Refuges, 70 National Fish Hatcheries, 65 fishery resource offices and 86 ecological services field stations. A study from the FWS Division of Economics found that recreational visits to the agency's wildlife refuges generated \$2.4 billion in sales to regional economies.

The Service also plays a vital role in interagency efforts monitor and control the spread of invasive plant and animal species. The agency reports that invasive species cost the United States over \$120 billion in damages every year. The Burmese python, Asian carp, Asian tiger mosquito, emerald ash borer, cheat grass, quagga mussel and the brown marmorated stink bug are among the most notorious of the 6,500 invasive species established in the United States.

In addition to hindering efforts to protect threatened and endangered wildlife, these invasive species pose a costly threat to agriculture, recreational activities and human health. It is important that the Service's Wildlife and Habitat Management program has sufficient funding to provide national wildlife refuges the early detection and rapid response necessary to pinpoint nonnative species before have an opportunity to disrupt habitats and neighboring communities.

The agency's Fish and Aquatic Conservation program is among key agency programs that work to prevent new aquatic invasions, which are uniquely difficult to detect, track and eradicate. Within this program, FWS is proposing an increase of \$669,000 over fiscal year 2015 for Aquatic Invasive Species Prevention, which the Society supports.

The Society is also supportive of the Service's efforts to connect Americans to the great outdoors as well as its youth and education programs that provide education

and job training for careers and opportunities that promote greater understanding of the environment.

We hope that Congress can continue to sufficiently invest in the agency's efforts to preserve and protect our Nation's diverse ecosystems while furthering our understanding and appreciation of the natural world.

[This statement was submitted by Dr. David W. Inouye, *President*.]

#### PREPARED STATEMENT OF THE EDISON ELECTRIC INSTITUTE

The Edison Electric Institute (EEI) respectfully submits this written testimony for the record to the Senate Appropriations Subcommittee on Interior, Environment, and Related Agencies. We appreciate this opportunity to share our views on two major fiscal year 2016 activities that are underway at the Environmental Protection Agency (EPA): the Waters of the U.S. proposed rule published April 24, 2014, and the proposed guidelines to regulate greenhouse gas emissions under Section 111(d) of the Clean Air Act. We also would like to briefly review the recently finalized Section 316(b) cooling water intake structures rule and coal ash regulation, both of which pose implementation issues for States and our industry and warrant continued attention by the subcommittee.

#### WATERS OF THE UNITED STATES

Last April, EPA and the U.S. Army Corps of Engineers (the Corps) released a proposed rule to revise the definition of "Waters of the United States" (WOTUS) under the Clean Water Act (CWA). The proposed WOTUS rule would broadly expand Federal control over both land and water resources, triggering substantial new regulatory requirements for electric utility facilities and projects. Critical utility operations—including generation, transmission, and distribution—as well as the siting and construction of renewable energy resources would be adversely impacted if the rule were to be finalized as proposed.

The proposed WOTUS rule fails to achieve EPA's stated goals of providing greater certainty, predictability, and clarity, and it would violate recent Supreme Court decisions limiting Federal jurisdiction. Despite claims to the contrary, the rule—if adopted substantially as proposed—would significantly expand CWA jurisdiction and, therefore, require more CWA permits, resulting in greater costs, more delays, and greater uncertainty around all facets of power generation and supply.

In November, EEI submitted comments urging that the proposed rule be withdrawn. Additionally, we recommended that EPA and the Corps should engage in a dialogue with the regulated community and the States and localities that are responsible for managing water quality nationwide to develop more precise changes to the existing regulations.

Overall, more than 1 million comments were submitted to EPA and the Corps on the WOTUS proposal. More than 30 States weighed in, as did numerous congressional and local officials, opposing the rule because it would intrusively extend Federal jurisdiction to many land and water features never previously regulated under the CWA. Still, EPA and the Corps are moving aggressively to finalize a rule by this summer. Therefore, as a vital step toward a more reasonable outcome, EEI urges the subcommittee to adopt a legislative amendment in its fiscal year 2016 legislation that would ban EPA from implementing a final WOTUS rule and instead, direct EPA and the Corps to issue a revised proposed rule for further input by States and the regulated community.

#### PROPOSED GUIDELINES TO REGULATE GREENHOUSE GAS EMISSIONS UNDER SECTION 111(D) OF THE CLEAN AIR ACT

Last June, EPA issued its proposed 111(d) guidelines, which contain State-specific emission reduction goals for carbon. For each State, an interim and final emission reduction goal is proposed. The final goal must be reached by 2030. The Agency determined the goals by using four sets of measures—or "building blocks"—to help all States achieve their goals.

EPA is expected to finalize the 111(d) guidelines this summer, and States then will be required to submit compliance plans for Agency approval that demonstrate how they will achieve these goals. EPA is expected to complete approvals of State implementation plans by mid-2018.

The proposed 111(d) guidelines would require dramatic changes in how electricity is produced, transmitted and consumed. As such, EEI worked closely with our members to thoroughly review EPA's guidelines and to assess the impacts of the proposal on the electric power sector. On December 1, we delivered more than 300 pages of

comments to EPA; 3 million comments were submitted in total. EET's comments provide EPA with suggestions for improvements based on many of the concerns that our companies have with the proposed guidelines.

Of greatest concern is the fact that EPA has not taken into account the amount of infrastructure development, time and planning that the transition to a cleaner generating fleet will require. In fact, by setting stringent interim goals, EPA effectively has turned the proposed rule's 2030 goal into a 2020 goal. Eighty percent of the States would have to achieve 50 percent or more of their final 2030 goals by 2020. Eleven of those States would be required to achieve 75 percent or more of their 2030 goals by 2020.

Achieving the goals envisioned in EPA's proposed 111(d) guidelines will require major changes to the electric system. New natural gas pipelines and electric transmission lines will be needed. Given the stringency of the interim goals, there is simply not enough time between now and 2020 for utilities and States to develop, plan, design, and complete the infrastructure needed to meet them as proposed, particularly since State implementation plans will not be finalized and approved until 2017–2018.

A number of stakeholders—including State public utility commissions, State environmental agencies and reliability organizations—also have raised serious concerns with the 2020 interim goals. In fact, the North American Electric Reliability Corporation has cautioned, “The proposed timeline does not provide enough time to develop sufficient resources to ensure continued reliable operation of the electric grid by 2020.”

The 2020 interim goals must be substantially revised, if not eliminated entirely. This will give States flexibility to determine the most cost-effective actions and measures they need to take to achieve the 2030 goals. It also will allow States to establish a reasonable schedule for implementing such measures in a way that protects electric sources.

Also of concern, the guidelines do not recognize the value of nuclear and hydro power generation as zero-emissions resources. Nuclear and hydropower are critical baseload generating sources that do not emit carbon, and EPA should incentivize the continued development of nuclear and hydropower sources.

The Nation cannot achieve its carbon-reduction goals without the building of new nuclear plants and the continued operation of the existing nuclear fleet. The States and operators that are making the investments necessary to bring these zero-emissions resources online should be allowed to count their clean output, once operational, toward compliance. The final rules must also find a better way to incentivize keeping existing nuclear units online. Doing so will send a positive signal to States to build new nuclear plants and maintain existing plants.

Similarly, the proposed 111(d) guidelines do not recognize the value of new and imported hydropower, particularly hydropower imported from Canada, in helping to provide affordable zero-emissions power in certain regions of the country. EPA should allow States to include generation from new hydro plants, increased generation at existing hydro plants, and hydro facilities that are relicensed in complying with the goals.

EPA also failed to consider the electric system as a whole when setting standards and compliance goals. In fact, the four building blocks that EPA has proposed for achieving compliance create serious concerns and raise questions about whether the State emission rate goals are achievable. For example, increasing the use of variable wind and solar power reduces the efficiency of generation units that back up these systems when weather conditions change.

EPA's four sets of measures do not take into account the interconnected nature of the integrated power system. Electric utilities and States engage in complex planning to maintain the reliability of this interconnected power system. Actions and measures to achieve gains under one building block may result in unintended consequences under the other building blocks when implemented simultaneously.

EPA should modify the 2030 State-specific emission rate goals in the final guidelines to recognize that the building blocks affect each other in the context of the interconnected power system and to ensure that accurate data are used to determine a particular State's goal.

EPA's proposed 111(d) guidelines must be improved before they are finalized. The Agency must provide States the compliance flexibility to choose the most cost-effective reductions in order to ensure the overall reliability of the electric system and to minimize costs for electricity customers.

## SECTION 316(B) COOLING WATER INTAKE STRUCTURES RULE

Last May, EPA finalized its cooling water intake structures rule under Section 316(b) of the Clean Water Act. This rule was in development for years, and EEI worked throughout the rulemaking process to educate policymakers of the potential impacts of this regulation on electric generation facilities and our customers, and on the need for a flexible and cost-effective final rule.

Importantly, EPA's final 316(b) rule does not impose a categorical one-size-fits-all cooling tower mandate. The Agency acknowledged the importance of weighing costs with environmental protection and also included a significant degree of compliance flexibility in the final rule.

Still, the final rule will present significant operational and compliance challenges, and EEI is focused now on helping our members with implementation, including individual permits. Just before the final rule was issued, important new requirements related to endangered and threatened species listed under the Endangered Species Act were included. These requirements are likely to significantly complicate implementation of the rule, giving the U.S. Fish and Wildlife Service a new and influential role in Clean Water Act permitting. Consequently, implementation of the rule remains an area that may warrant the subcommittee's attention, especially when considered together with current or pending air, water, and waste rules EPA may promulgate.

## COAL ASH REGULATION

In December, EPA finalized another long-awaited rule on coal ash regulation. The Agency's final rule made the proper determination that coal ash should be regulated as a non-hazardous waste in a way that will protect human health and the environment. EEI has long advocated for a final rule that establishes a non-hazardous regulatory framework with a workable timetable for implementation.

Despite the non-hazardous waste determination, we still have concerns with the self-implementing nature of the final rule, the legal authority of EPA to regulate inactive coal ash impoundments, and the way in which EPA has left the door open to one day regulate coal ash as a hazardous waste, creating additional uncertainty for electric utilities.

While we are working closely with States, member companies and other stakeholders during the rule's implementation phase, EEI also continues to advocate for legislation that will establish State-enforced Federal requirements for the disposal of coal ash. Legislation offers a more effective way to address the safe management of coal ash sites that are no longer receiving coal ash, and would help to preserve jobs in industries that recycle coal ash, while safeguarding the environment and protecting the reliability and affordability of electricity for all consumers.

## CONCLUSION

Thank you, Mr. Chairman, for this opportunity to discuss these environmental activities which are, without a doubt, the most significant EPA actions ever to impact our industry. EEI truly values the partnership that we share with your subcommittee, and we look forward to continuing our dialogue with you on these and other issues that have the potential to impact electric generation, siting, permitting and construction efforts.

## PREPARED STATEMENT OF THE TESTIMONY OF ENTOMOLOGICAL SOCIETY OF AMERICA

The Entomological Society of America (ESA) respectfully submits this statement for the official record in support of funding for entomology-related activities at the U.S. Department of Agriculture Forest Service and the U.S. Environmental Protection Agency (EPA). ESA requests a fiscal year 2016 appropriation of \$6.489 billion for the Forest Service and requests that the Forest and Rangeland Research budget is maintained at a level at least equal to the fiscal year 2015 enacted amount of \$296 million to preserve valuable invasive species research and development. The Society also supports continued investment in Forest Health Management programs across the Forest Service in fiscal year 2016. In addition, ESA recommends an fiscal year 2016 funding level of \$8.6 billion for EPA, including support for Pesticides Licensing Program Area activities within its Science & Technology and Environmental Program & Management budgets, and continued support for State & Tribal Assistance Grants for Pesticide Program Implementation. Finally, ESA strongly supports EPA's commitment to work with other Federal agencies to develop a strategy to improve pollinator health, including involvement by EPA to examine the potential impact of pesticides on pollinator health.

Advances in forestry and environmental sciences, including the field of entomology, help to protect our ecosystems and communities from threats impacting our Nation's economy, public health, and agricultural productivity and safety. Through improved understanding of invasive insect pests and the development of biological approaches to pest management, entomology plays a critical role in reducing and preventing the spread of infestation and diseases harmful to national forests and grasslands. The study of entomology also contributes to the development of Integrated Pest Management (IPM) techniques, which use science-based, environmentally friendly, comprehensive methods to take preventative action against pests, often resulting in lower costs and a more targeted use of pesticides. In addition, entomology improves our knowledge of pollinator biology and the factors affecting pollinator health and populations, helping to ensure safe, reliable crop production that meets the needs of a growing world population.

The U.S. Forest Service sustains the health, diversity, and productivity of 193 million acres of public lands in national forests and grasslands across 44 States and territories. Serving as the largest supporter of forestry research in the world, the agency employs approximately 35,000 scientists, administrators, and land managers. In addition to activities at the Federal level, the Forest Service provides technical expertise and financial assistance to State and private forestry agency partners.

The Forest Service's Forest and Rangeland Research budget supports the development and delivery of scientific data and innovative technological tools to improve the health, use, and management of the Nation's forests and rangelands. Within Forest and Rangeland Research, the Invasive Species Strategic Program Area provides scientifically based approaches to reduce and prevent the introduction, spread, and impact of non-native invasive species, including destructive insects, plants, and diseases that can have serious economic and environmental consequences for our Nation. For example, Forest Service scientists are working to prevent the devastation of ash trees across North America by the emerald ash borer, an invasive beetle that was accidentally introduced from Asia. Emerald ash borer was first detected in 2002 and, since then, has killed countless millions of ash trees. This biological invasion threatens to eliminate all ash trees from North America, and is the most costly invasion from a forest insect to date. To attempt to address the problem, researchers have developed a series of artificial traps for these pests. These traps will help the Forest Service detect the early presence of emerald ash borer and be able to implement a rapid response to lessen damage.<sup>1</sup> Emerald ash borer is just one of the exponentially growing list of invasive insects and diseases that cause harm to our Nation's forests and to our Nation's economy. Forest health is also affected by invasive weeds, and those weeds are often best controlled by beneficial insects used as biological control agents, resulting in permanent and often spectacular control. ESA strongly opposes the proposed cuts to Forest and Rangeland Research included in the President's fiscal year 2016 budget request, especially the 8.0 percent reduction directed at invasive species research and development.

Also under the purview of the Forest Service is the Forest Health Management program, which conducts mapping and surveys on public and private lands to monitor and assess risks from potentially harmful insects, diseases, and invasive plants. The program also provides assistance to State and local partners to help prevent and control outbreaks that endanger forest health. According to a 2011 study, invasive forest insects cost local governments alone an average of over \$2 billion per year; direct costs to homeowners from property loss, tree removal, and treatment averages \$1.5 billion per year.<sup>2</sup> The program's "Slow the Spread" activities, for example, have led to a 60 percent reduction in the rate of the spread of an invasive species known as gypsy moth, resulting in an estimated benefit-to-cost ratio of 3:1. Without the program, it is estimated that 50 million additional acres would have been infested by the moth.<sup>3</sup>

To support these important functions, ESA requests that the subcommittee oppose proposed cuts to the Forest Health Management Program in fiscal year 2016.

EPA carries out its mission of protecting human health and the environment by developing and enforcing regulations, awarding grants for research and other projects, conducting studies on environmental issues, facilitating partnerships, and providing information through public outreach. Through these efforts, EPA strives

<sup>1</sup> Forest Service fiscal year 2016 Budget Justification: <http://www.fs.fed.us/sites/default/files/media/2015/06/2015-fy2016-budgetjustification-update-three.pdf>.

<sup>2</sup> Aukema, J.E.; Leung, B.; Kovacs, K.; [et al.]. 2011. Economic impacts of non-native forest insects in the continental United States. *PLoS ONE* 6(9): e24587.

<sup>3</sup> Forest Service fiscal year 2016 Budget Overview: <http://www.fs.fed.us/sites/default/files/media/2015/06/2015-fy2016-budgetjustification-update-three.pdf>.



to ensure that our Nation enjoys clean water, clean air, a safe food supply, and communities free from pollution and harmful chemicals.

EPA's Pesticides Licensing Program Area, supported by EPA's Science & Technology and Environmental Program & Management budgets, serves to evaluate and regulate new pesticides to ensure safe and proper usage by consumers. Through the mandate of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA utilizes scientific expertise and data, including knowledge gained from entomological sciences, to set maximum tolerated residue levels and to register pesticide products as effective and safe. By controlling insects that act as vectors of diseases of humans and domesticated animals, and invasive insect species that endanger our environment, pesticides registered by EPA help protect public health and the Nation's food supply. EPA's activities in this area also include the development of educational information and outreach to encourage the use of IPM and other reduced-risk methods of controlling pests. For example, EPA continues to support work to protect children from pesticide exposure used in and around schools, helping to promote cost-effective strategies that reduce student exposure to pesticides and pests. Due to previous work in this area, 18 Indiana schools have reduced pest control costs by 90 percent by employing new IPM techniques.<sup>4</sup> IPM strategies used in schools reduce student exposure to pesticides as well as allergens from pests themselves. Therefore, ESA supports continuing the modest funding that EPA has invested in school IPM.

Among EPA's State & Tribal Assistance Grants, categorical grants in the area of Pesticides Program Implementation help to facilitate the translation of national pesticide regulatory information into real-world approaches that work for local communities. For example, these grants fund efforts to reduce health and environmental risks associated with pesticide use by promoting, facilitating, and evaluating IPM techniques and other potentially safer alternatives to conventional pest control methods. ESA requests that the subcommittee support the proposed modest increase for Pesticides Program Implementation grants.

ESA is in favor of increased funding for scientifically based studies of pollinator populations and health. Pollinators play a vital role in our Nation's agriculture industry; for example, bees pollinate more than 90 crops in the United States and are essential for the production of an estimated 70 percent of all the food we eat or export. To ensure a healthy bee population, more research is needed to fully understand the complexities of Colony Collapse Disorder (CCD) and to examine the diverse factors that endanger bee health. Pesticides represent just one potential risk to bees, but both the risks and benefits must be balanced, and those risks and benefits will vary among different crops and different crop-producing regions of the United States. EPA is well-positioned to help identify methods for protecting bee health; the agency has previously awarded agricultural grants to three universities to aid in the development of IPM practices that lower pesticide risks to bees while protecting valuable crops from pests. For this reason, ESA supports EPA's participation in multi-agency efforts to investigate pollinator health and develop implementation plans to prevent pollinator population decline.

ESA, headquartered in Annapolis, Maryland, is the largest organization in the world serving the professional and scientific needs of entomologists and individuals in related disciplines. Founded in 1889, ESA has nearly 7,000 members affiliated with educational institutions, health agencies, private industry, and government. Members are researchers, teachers, extension service personnel, administrators, marketing representatives, research technicians, consultants, students, pest management professionals, and hobbyists.

Thank you for the opportunity to offer the Entomological Society of America's support for Forest Service and EPA programs. For more information about the Entomological Society of America, please see <http://www.entsoc.org/>.

[This statement was submitted by Phil Mulder, Ph.D., *President*.]

PREPARED STATEMENT OF THE FLORIDA SPORTSMAN'S CONSERVATION ASSOCIATION, SPORTSMAN'S TRUST GROUP, AND EVERGLADES HEADWATER'S NATIONAL WILDLIFE REFUGE

My name is Bishop Wright Jr.; I am the Secretary of the Florida Sportsman's Conservation Association and Chairman of the Sportsman's Trust Group. These groups respectfully request that Congress to fund the Land and Water Conservation Fund at \$900 million per year. We specifically request that the United States Fish and Wildlife Service be provided with 10 million to fund conservation easements and

<sup>4</sup>March 12, 2014 EPA press release: <http://yosemite.epa.gov/opa/admpress.nsf/596e17d7cac720848525781f0043629e/ebef2aed5d69e01585257c99006af60d?OpenDocument>.

fee-simple acquisitions within the Everglades Headwaters National Wildlife Refuge. The monies from the LWCF fund are needed to purchase 100,000 acres of conservation easements over working ranch lands and to purchase 50,000 acres of fee simple lands within the headwaters of the Everglades.

The Everglades Headwaters National Wildlife Refuge and Conservation Area is very important to all Floridians and wildlife in the State. It will also conserve one of the last remaining grassland and longleaf pine savanna landscapes in eastern North America. It will provide cattle ranchers a way to preserve their lands and their way of life for future generations. And importantly, it will provide access to hunters, fishermen, hikers, and bird watchers and a beautiful outdoors for anyone wanting to use and enjoy this refuge for whatever appropriate type of recreation they choose. It will also provide a landscape to hold and clean water before it travels south down to Lake Okeechobee.

Today the South Florida Water Management Board spends millions and millions of dollars building storm water treatment areas to clean water before it is dispersed to the Everglades. Why not use this Everglades Headwaters project to do the same in a natural way and still help the ranchers, hunters, and recreationalists and provide opportunity for generations to enjoy what we have to share now?

The sportsmen of Florida have not always been supportive of this project because of the way the Federal Government (USFWS, NPS) has treated sportsmen in the past. USFWS has had very limited hunting on refuges in Florida. When this project was shown at 4 scoping meetings throughout the State, sportsmen showed up to voice their opinions. With the room filled at all 4 meetings by about 95 percent of sportsmen, at the time not one wanted to give one more acre of land to the Federal Government. That was 5 years ago.

The Sportsmen Trust Group has worked hard with USFWS to have our issues addressed and we feel like our voice is being heard. We understand that no individual USFWS employee can fulfill these promises, but they are working hard to do consider hunting and fishing opportunities when management plans are up for review. The Sportsmen's Trust Group and the Northern Everglades Alliance (ranchers) are now partners in the campaign and fight to make this Everglades Headwaters project a success.

The Sportsmen's Trust Group and others are still working to resolve issues with the National Park Service, specifically in the Big Cypress Preserve. An additional 147,000 acres were added to the Preserve in 1988 known as the "Addition Lands". The Addition Lands legislation called for these lands to be opened to the public for "traditional cultural activities" within 3 years of the 1988 acquisition. Unfortunately, 23 years later, the National Park Service produced a "Final Alternative" which would turn 80 percent of the Addition Lands into Wilderness and/or Back Country Primitive, both of which would not allow future off-road vehicle trails, something sportsmen felt they were promised.

During the creation of the Preserve in 1974, it was clearly stated by Senator Lawton Chiles and others that no part of the Preserve was intended then or now to be Wilderness or Back Country Primitive areas. The Park Service allowed the Addition Lands to sit idle for 20+ years allowing the area to somewhat grow over. When the facts are exposed regarding the activities over the past 60+ years in the Addition Lands it will become clear that none of the Addition Lands qualify for Wilderness consideration. We have people prepared to verify ongoing activities in the Addition Lands over the past 60+ years including farming, ranching, timber removal, oil exploration, air strips, tram roads, private homes, private hunting cabins, existing off-road vehicle trails etc. etc. etc. to say nothing of the area being divided by I-75, a four lane interstate divided highway.

In closing I would like to say, you can see why, at the start of the Everglades Headwaters Project the sportsmen of Florida had a lot of trouble buying into this. We did not trust the Federal Government and met the initiative to create a new national wildlife refuge with skepticism. However, with hard work and good communication between The Sportsmen Trust Group, USFWS, FWC, NEA and the National Wildlife Refuge Association, our hesitance and anger turned to commitment and trust. We are all committed to this project; now all we need is your commitment to fund the LWCF and this project can come true and help Florida be saved for generations to come.

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PREPARED STATEMENT OF THE FOND DU LAC BAND OF LAKE SUPERIOR CHIPPEWA

I would like to thank this subcommittee for the opportunity to submit testimony on fiscal year 2016 Appropriations for Indian programs funded through the Interior Department, Indian Health Service and Environmental Protection Agency. I am

Karen R. Diver, Chairwoman of the Fond du Lac Band of Lake Superior Chippewa. The Band occupies a small reservation in northeastern Minnesota. We have approximately 4,200 members, and provide health, education, social services, public safety and other governmental services to more than 6,700 Indian people who live on or near our Reservation. We strive to find solutions that will break the cycle of poverty that has long-plagued our community. We have looked for and implemented innovative measures, including partnerships with the public and private sectors, to improve the lives of our members. But while we are beginning to make some inroads on the problems, considerable work remains to address the extensive unmet need. Adequate Federal funding continues to be essential to our ability to educate our children, care for our elderly and infirm, prevent crime, and protect and manage natural resources.

*Bureau of Indian Education.*—We rely on BIE funding to operate the Fond du Lac Ojibwe School. This school serves approximately 340 students in pre-K through grade 12. Most of our students come from very low income households; more than 90 percent of our students qualify for free or reduced rate lunches. We are making progress in improving the educational attainment of our students. But our progress is slow and very much handicapped by limited resources. There continues to be an urgent need for the Federal Government to help improve educational opportunities for American Indian students. In Minnesota alone, we continue to see a significant disparity between American Indians and the population statewide on education—one that directly correlates with poverty levels. Data compiled for Minnesota in 2013 illustrates this:

|                 | Living below<br>Poverty <sup>1</sup><br>(percent) | High School Grads<br>Proficient in<br>Reading <sup>2</sup><br>(percent) | High School Grads<br>Proficient in<br>Math <sup>2</sup><br>(percent) | High School Grads<br>Enrolling in<br>College <sup>2</sup><br>(percent) |
|-----------------|---|---|--|--|
| Statewide ..... | 11.50   | 67  | 55   | 69   |
| MN Indian ..... | 39.70   | 56  | 40   | 49   |

From: <sup>1</sup> Minnesota Compass, <http://www.mncompass.org/disparities/>.

<sup>2</sup> Minnesota SLEDs, Statewide Longitudinal Education Data Systems, <http://sleds.mn.gov>.

Despite the well-documented and longstanding need, funding for Indian schools has been stagnant for many years. We support the President's proposed budget which would increase overall education funding by \$93.9 million over the fiscal year 2015 enacted level, including increases in funding for: Johnson O'Malley, which allows us to assist Indian children in public schools, as well as Early Childhood Development funds (FACE), which is critical to providing preschoolers with skills to be school-ready. As to other elements of the budget for education funding, we urge the following:

- ISEP.*—Increase ISEP to \$565.5 million as requested in the President's budget. ISEP is the primary source of school funding, covering salaries for teachers, teacher aides, and administrative personnel. ISEP is critical to our ability to recruit and retain qualified teachers and to cover shortfalls in other budget areas, such as transportation, facilities and maintenance.
- Tribal Grant Support Costs (TGSC).*—The President's proposed budget seeks \$75 million for TGSC. While we very much support this increase (+\$12.9 million) from fiscal year 2015 levels, we urge Congress to appropriate more, \$76.2 million for TGSC, as these funds are critical to our ability to cover the costs of accounting, insurance, background checks, legal and record-keeping requirements. Inadequate funding for TGSC forces us to use ISEP to meet these needs.
- School Facility Operations and School Facility Maintenance.*—Increase School Facility Operations to \$66,098,000 (as requested in the President's budget), and School Facility Maintenance to \$79,137,000 (above that requested in the President's budget). Such funds keep our building in safe condition, pay for preventative and unscheduled maintenance, and cover insurance and increasing utility costs.
- Student Transportation.*—Increase Student Transportation to \$56,212,000. While the President's budget includes a modest increase in Student Transportation funding, more is needed if we are to cover the costs to maintain, repair, and replace buses. Otherwise we are compelled to pay those costs from education program funds which are already over-obligated.
- School Construction and Repair.*—We fully support the President's request for \$133 million for School Construction and Repair. Such an increase is long overdue and essential if any progress is to be made on the deterioration of these facilities. Not addressing these critical infrastructure needs will only jeopardize student and staff safety.

—*Tribal Education Departments (TEDs).*—We support the President's request for funding for the development and operation of Tribal Departments of Education in order to strengthen the management and oversight of the education programs serving Indian children. But we urge Congress, in appropriating these funds, not to limit their use to only those tribes having more than one school on the tribe's reservation (as proposed in the budget). Many tribes, like Fond du Lac, operate a single school on-reservation but would greatly benefit from TEDs.

*BIA: Public Safety and Justice.*—We support the President's proposal to increase BIA funding for law enforcement. Although we are a small community in rural Minnesota, we are combating major crimes. Methamphetamine, alcohol, illegal prescription drug use, and gang-related activity create huge demands on our law enforcement. In addition, we are now facing a significant increase in heroin use. For example, in a recent drug bust, our officers seized heroin that had a street value of over \$60,000. Many of our elders and others are the victims of assaults and robberies that are drug-related. Our officers must respond to a large number of drug overdoses and deaths, as well as juvenile offenses involving drugs, alcohol, thefts, assaults and burglaries. They also respond to a wide range of other matters, including domestic disputes, disturbances, disorderly conduct, property damage, theft, medical emergencies, fire, neglected children, runaways, suicide threats, as well as numerous traffic-related matters. In 2014 alone, our Law Enforcement Department responded to more than 6,000 incidents and requests for assistance. This is a substantial increase from past years, where incidents and requests for assistance from our Department were: 5,342 in 2013; 5,100 in 2012; and 4,900 in 2011.

We rely on a combination of tribal and available Federal funds and cooperative agreements with local law enforcement agencies to meet law enforcement needs. To ensure effective law enforcement coverage 24/7, we need to have sufficient law enforcement staff, as well as sufficient equipment for that staff. We are very fortunate that as a result of a COPS grant, we are now able to employ 20 sworn officers—the number we need to effectively patrol the Reservation. But our officers still need equipment to do this work. We do not yet have a sufficient number of patrol cars. We also need to replace our outdated analog radios with new digital radio equipment—both in-squad radios and portable radios that officers carry. The equipment is very expensive but necessary to meet FCC requirements. And we regularly need to acquire and replace other basic law enforcement equipment, like binoculars, video cameras and other surveillance tools. Federal funding is essential to meet those needs.

*BIA Construction.*—We urge Congress to increase funding for BIA Construction. Fond du Lac needs a new facility for our law enforcement department. The Department is still housed in a 6-room building, which it shares with the Band's housing program. We have no room for investigative interviews. The evidence room and reception area are inadequate for law enforcement purposes. A new building with a garage, large evidence room, records storage room, and a training room for officers, is essential.

*BIA: Trust-Natural Resources Management.*—We support the President's budget proposal, to fund BIA Natural Resources Management at \$232.79 million in fiscal year 2016, including funding for Tribal Climate Resilience. I was privileged to serve on the President's State, Local, and Tribal Leaders Task Force on Climate Preparedness and Resilience, and, based on the extensive work done by that Task Force, understand the serious threat that climate change poses, especially in Indian country, where the basic subsistence needs of Indian people often depend on natural resources. This is certainly true at Fond du Lac. Our treaties with the United States reserved our right to access natural resources within and outside our Reservation. Many of our members hunt, fish and gather wild rice and other natural resources to put food on the table. The stewardship of those natural resources—through scientific study and resource management, and enforcement of Band conservation laws that regulate tribal members who hunt, fish and gather those resources—are an important source of employment for many of our members. And those natural resources serve as the foundation for our culture.

*U.S. Fish and Wildlife Service.*—The U.S. Fish and Wildlife Service is a valued partner of the Fond du Lac Band in wildlife and fisheries research and restoration programs. We request that the overall budget of the Fish and Wildlife Service be increased, with a particular increase to the Native American Liaison program. We support the President's requested increase to the Tribal Wildlife Grant Program, but urge that this program be funded at 5 times its current level, since current funding levels allow few grants to be awarded.

*Environmental Protection Agency (EPA).*—The drastic funding cuts to EPA in past years threaten long-term damage to the Nation. We support, at a minimum, the

\$8.6 billion in funding recommended in the President's budget, as well the President's recommended increase in State and Tribal Assistance Grants, but urge that more be appropriated for these important programs.

—*Great Lakes Restoration Initiative.*—The Band fully supports this initiative, and asks that it be funded at \$500 million, two times what is requested in the President's budget. This initiative has broad-reaching benefits to resources of importance for all stakeholders (State, tribal and private) in the Great Lakes region.

—*Water Quality.*—The Fond du Lac Band has a federally approved water quality standards program which has seen annual funding declines while the Band's responsibilities have increased. Given the current threats to water resources in our region from the expansion of iron and copper mining, we urge that tribal section 106 funding be doubled.

—*Air.*—In conjunction with our water quality monitoring responsibilities, the Band has a long-standing air monitoring program that has also faced a steady decline in Federal funding. We request that air quality program funding for tribes be increased.

—*Wetlands.*—One half of our reservation is made up of wetlands. Proper management and restoration of this valuable resource is impossible without adequate Federal funding.

*Indian Health Service.*—We fully support the President's proposed increase in funding for IHS and appreciate the commitment that the administration and Congress have made to address the funding needs for healthcare in Indian country. The President's proposed increase is essential to address the high rates of medical inflation and the substantial unmet need for healthcare among Indian people. Indians at Fond du Lac, like Indians throughout the Nation, continue to face disproportionately higher rates of diabetes and its associated complications, than the rest of the population. Heart disease, cancer, obesity, chemical dependency and mental health problems are also prevalent among our people. All Indian tribes should receive 100 percent of the Level of Need Formula, which is absolutely critical for tribes to address the serious and persistent health issues that confront our communities. The Band serves over 7,000 Indian people at our clinics, but the current funding level meets only 42 percent of our healthcare funding needs.

As the epidemic of prescription drug abuse grows across the country, the IHS needs resources to expand its treatment and community education capacity. We are especially disappointed with the Pharma-driven position SAMHSA has followed for the past several years regarding Methadone Assisted Therapy (MAT). Many poorly administered MAT programs are pouring unprecedented amounts of cheap, liquid Methadone into Indian communities with very destructive results. In 2012, nearly 40 percent of the babies delivered by Fond du Lac Nurse-midwives were born to Methadone dependent mothers. Although those numbers improved in 2013, nearly 35 percent of all pregnant women seen by Fond du Lac primary care providers use illicit drugs, mainly opiates. Research shows that methadone users are cognitively impaired, and more recent research has shown that children born to methadone users are more likely to have low birth weight, neural tube defects, spina bifida, congenital heart defects and gastroschisis. Meanwhile, thousands of American Indians are falling victim to the chemical slavery now sponsored by SAMHSA. Additional funding for the Methamphetamine, Suicide Prevention Initiative should be made available to tribes and the IHS so that this "new sickness" can be addressed. Best practices in pharmacy inventory and prescription monitoring need to be modeled and replicated throughout Indian Country. The need is compounded by the fact that more government agencies expect local units of government, including tribes, to address these problems and the increasing number of individuals who become homeless as a result of them, through the operation of supportive housing. But Fond du Lac's ability to establish new program initiatives, like supportive housing, depends on assistance from the Federal Government. We urge Congress to support programs that would fund supportive housing for tribes in every area of the country. Miigwech. Thank you.

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PREPARED STATEMENT OF THE FRIENDS OF BON SECOUR NATIONAL WILDLIFE  
REFUGE

Mr. Chairman and members of the subcommittee:

Thank you for this opportunity to submit comments on the proposed fiscal year 2016 Interior Appropriations bill. The Friends of Bon Secour National Wildlife Refuge (FBSNWR) support the funding of the U.S. Fish and Wildlife Service, the agency that administers the National Wildlife Refuge System. We concur with the prior-

ities documented by the National Wildlife Refuge Association (NWRA) that are listed as follows:

1. Request \$508.2 million for the National Wildlife Refuge System's operations and maintenance account for fiscal year 2016.
2. Reauthorize and fully fund the Land and Water Conservation Fund (LWCF) at \$900 million per year and provide \$173.9 million in fiscal year 2016 LWCF funding for conservation easements and refuge in-holdings.
3. Appropriate \$60 million for the National Wildlife Refuge Fund in fiscal year 2016, which offsets losses in local government tax revenue because lands owned by the Refuge System are exempt from taxation.
4. Pass a clean appropriation bill that is free from policy riders such as removing the Service's authority to establish new refuges administratively even though 90 percent of all refuges were created this way.

The Bon Secour NWR provides vital habitat for neotropical migratory birds and nesting habitat for endangered sea turtles. In addition, the refuge is a component of a thriving nature-based tourism along coastal Alabama. The coastal economy is dependent upon sound stewardship of natural resources of the Gulf of Mexico, so we believe the development and sustainment of a strong Bon Secour NWR and National Wildlife Refuge System is critical to creating a resilient economy in southern Alabama and the Gulf Coast.

We will briefly elaborate how the NWRA priorities support our efforts to maintain viable refuges that play key roles in sustaining coastal wildlife resources and our economy.

1. *Request \$508.2 million for the National Wildlife Refuge System's operations and maintenance account for fiscal year 2016.*

Inadequate operational funding for our coastal refuges could result in lost opportunities to leverage funds generated by criminal and civil penalties associated with the 2010 oil spill to improve refuge infrastructure. Our refuges already depend on volunteers just to keep the doors open to our visitors, and the maintenance backlog for equipment and facilities continues to grow.

Bon Secour NWR needs a functional visitor and education center. The Act that established the refuge in 1980 directed that the refuge "serve as a living laboratory for scientists and students". Bon Secour is a natural wonder that contains all aspects of the marine environment, so the refuge could demonstrate the importance of the marine environment to coastal culture and economy as well as the very survival of the planet.

2. *Reauthorize and fully fund the Land and Water Conservation Fund (LWCF) at \$900 million per year and provide \$173.9 million in fiscal year 2016 LWCF funding for conservation easements and refuge in-holdings.*

Again, Gulf Coast wildlife refuges may lose opportunities to leverage oil spill funds into acquisition of in-holdings and sensitive habitats if LWCF funds are not available. Coastal properties are expensive, so it will be difficult to rely solely on spill funds to acquire land. However, combining LWCF funds with other sources would likely enhance our chances to acquire key properties.

3. *Appropriate \$60 million for the National Wildlife Refuge Fund in fiscal year 2016, which offsets losses in local government tax revenue because lands owned by the Refuge System are exempt from taxation.*

Lands within the Refuge System are removed from local tax rolls because the U.S. Government, like any other local or State government, is exempt from taxation. The Refuge Revenue Sharing Act allows a National Wildlife Refuge to offset these tax losses by annually paying the local unit of government an amount that could equal or exceed that which would have been collected from taxes if the lands were in private ownership. These revenues are derived from activities including timber sales and grazing leases that occur on refuges when these uses are compatible with refuge purposes.

According to the NWRA, declining revenues and appropriations have resulted in the refuge system unable to pay even 50 percent of its tax-offset obligations. Our local governments need the funds to operate fundamental infrastructure that include roads and schools, and our refuges need to be viewed by our neighbors as contributors to their communities.

We strongly concur with the NWRA that a policy adjustment is ultimately needed to link the Refuge Fund to Payment in Lieu of Taxes consistent with other land management agencies.

4. *Pass a clean appropriation bill that is free from policy riders such as removing the Service's authority to establish new refuges administratively.*

The Bon Secour NWR is one of three refuges within the Gulf Coast National Wildlife Refuge Complex that also includes the Mississippi Sandhill Crane NWR (Jackson County, Mississippi) and the Grand Bay NWR (Jackson County, Mississippi and Mobile County, Alabama). The Grand Bay NWR was established in 1992 under the authority of the Emergency Wetlands Resources Act of 1986, so this refuge would likely not exist if legislation interfered with the agency's ability to utilize legal existing authorities. Moreover, we believe the U.S. Fish and Wildlife Service has developed a good record of careful consultation with local and State governments when exercising these authorities.

I will conclude with a reminder that our National Wildlife Refuges are a vital component for the stewardship of coastal natural resources and represent decades of public investment. They directly support the environment and economy through the science-based management of the lands and waters for the benefit of wildlife, and they connect citizens to these resources through opportunities to enjoy the fish and wildlife.

We need to support these refuges so that they can be engaged partners in the coastal natural resource stewardship and resilience. Our culture and economy depend on these natural resources, and the Gulf Coast is a major component of the national economy.

Thank you for your consideration. Please do not hesitate to call upon the Friends of Bon Secour National Wildlife Refuge if we can be of any assistance.

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PREPARED STATEMENT OF THE FRIENDS OF HAGERMAN NATIONAL WILDLIFE REFUGE

Madam Chair and members of the subcommittee:

On behalf of the Friends of Hagerman NWR, thank you for your support for the National Wildlife Refuge System (NWRS), particularly for the funding increase for fiscal year 2015. We appreciate the opportunity to offer comments on the fiscal year 2016 Interior Appropriations bill.

Our Friends organization supports Hagerman National Wildlife Refuge in Sherman, Texas. The Refuge, located on the southern tip of Lake Texoma, provides wildlife dependent recreation to residents of both southern Oklahoma and north Texas, including those from the Dallas/Fort Worth Metroplex. Visitors are constantly amazed and awed by the opportunity to see and learn about wildlife at the Refuge in its natural habitat, so close-by to urban and suburban development. In conjunction with Refuge staff the Friends provide educational experiences for both children and adults and the opportunity to connect with the great outdoors. Such experiences are essential to understanding and appreciation for our world and our place in it. The Refuge System cannot fulfill its obligation to the American public, our wildlife, and visitors without increases in maintenance and operation funds.

We believe that with sound conservation policy, adequate funding, and the power of more than 40,000 dedicated volunteers, the Refuge System can fulfill its mission to provide wildlife dependent recreation for Americans and protect the habitat for more than 700 species of birds, 220 species of mammals, 250 reptile and amphibian species and more than 1,000 species of fish. We look forward to working with Congress in 2015 to accomplish this goal.

[This statement was submitted by Sue Malnory, *President*.]

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PREPARED STATEMENT OF THE FRIENDS OF RACHEL CARSON NATIONAL WILDLIFE REFUGE

Mr. Chairman and honorable members of the subcommittee: I am Bill Durkin, President of the Friends of Rachel Carson National Wildlife Refuge in Biddeford, Maine.

First off, Happy Earth Day, we have come a long way since 1970, the first Earth Day. I have been a member of the Friends of Rachel Carson National Wildlife Refuge (NWR) for the past 26 years. The group was founded in 1987; we are a small group of about 200 members. This time of the year all of the letters go out to Congress asking for support of the refuge. I have given numerous written statements over the years and we really appreciate your support in the past. This year, our refuge is not requesting any appropriations directly for Rachel Carson National Wildlife Refuge; this is a request for general funding of the National Wildlife Refuge System of \$508.2 million. This year we ask to appropriate \$60 million in the National Wildlife Refuge Fund. I also urge the subcommittee to fund the Land, Water and

Conservation Fund at full funding at \$900 million with a \$178.8 million of that request for the National Wildlife Refuge Systems purchase of easements and in holdings. I thank you all for your consideration.

The Rachel Carson National Wildlife Refuge is named in honor of one of the Nation's foremost and forward-thinking biologists. After arriving in Maine in 1946 as an aquatic biologist for the U.S. Fish and Wildlife Service, Rachel Carson became entranced with Maine's coastal habitat, leading her to write the international best-seller "The Sea Around Us". This landmark study, in combination with her other writings, "The Edge of the Sea" and "Silent Spring", led Rachel Carson to become an advocate on behalf of this Nation's vast coastal habitat and the wildlife that depends on it. With the recent 50th anniversary of the publication of "Silent Spring", her legacy lives on today at the refuge that bears her name and is dedicated to the permanent protection of the salt marshes and estuaries of the southern Maine coast. The refuge was established in 1966 to preserve migratory bird habitat and waterfowl migration along southern Maine's coastal estuaries. It consists of 11 refuge divisions in 12 municipalities protecting approximately 5,600 acres within a 14,800 acre acquisition zone.

Consisting of meandering tidal creeks, coastal upland, sandy dunes, salt ponds, marsh, and productive wetlands, the Rachel Carson NWR provides critical nesting and feeding habitat for the threatened piping plover and a variety of migratory waterfowl, and serves as a nursery for many shellfish and finfish. The salt marsh habitat found at Rachel Carson NWR is relatively rare in Maine, which is better known for its dramatic, rocky coastline. Upland portions of the landscape in and around the refuge host a unique, unusually dense concentration of vernal pools that provide habitat for several rare plant and animal species. Located along the Atlantic flyway, the refuge serves as an important stopover point for migratory birds, highlighted by shorebird migration in the spring and summer, waterfowl concentrations in the winter and early spring, and raptor migrations in the early fall. In fact, southern Maine contains a greater diversity of terrestrial vertebrates, threatened and endangered species, and woody plants than any other part of the State.

Previous years' appropriations have allowed the United States Fish and Wildlife Service (USFWS) to conserve several properties within the refuge at Biddeford Pool, Parson's Beach, the newly created York River Division and most recently at Timber Point. All of these purchases provide an important buffer between the intense development pressure along the southern Maine coast and its fragile coastal estuaries. With towns in the area growing rapidly—at rates ranging between 11 percent and 32 percent over the next 10 years—development pressures continue to spiral upwards and additional coastal properties are under threat. It is said that Rachel Carson NWR has the most neighbors/abutters than any other refuge in the system, thus demand for available land is high and the market value expensive.

In fiscal year 2010, Rachel Carson NWR was appropriated \$3 million from the LWCF toward the acquisition of a majestic 157 acres of coastal land: Timber Point. Located in the Little River Division of the refuge on the Biddeford/Kennebunkport town line, Timber Point is comprised of a large peninsula and a small island that is effectively connected to the peninsula at low tide. All told, the property includes over 2.25 miles of undeveloped coastline, an enormous amount for southern Maine. The Timber Point parcel enhances the refuge's ability to protect water quality in the estuary and important wildlife habitat by linking it to already conserved refuge lands in the Little River Division of the refuge. This is a Success story. Your subcommittee supported this project in 2009 and we acquired the land in December, 2011. The total purchase price was \$5.2 million. We privately fundraised \$2.2 million with the help of collaborative working partners. A classic story of using Federal funds and local private donations toward the purchase of an iconic parcel of land. Since then, we have built a National Recreational Trail (NRT) for public use and recently completed an Environmental Assessment for future use of the property. Protecting Timber Point was a priority for the refuge for decades, and we thank you. The process does work and I support all Refuges requests for fiscal year 2016. You can make it happen.

1. We are requesting an overall funding level of \$508.2 million in fiscal year 2016 for the Operations and Maintenance Budget of the National Wildlife Refuge System, managed by the U.S. Fish and Wildlife Service. All of the refuges are in dire need of staffing and upkeep. The National Wildlife Refuge System is responsible for 568 million acres of lands and waters, but currently receives less than a \$1 per acre for management costs. The refuges cannot fulfill its obligation to the American public, our wildlife and 47 million annual visitors without adequate funding. In the Northeast, Region 5, needs an additional \$1.5 million for fiscal year 2016 to keep even in their operating budget. Refuges provide unparalleled opportunities to hunt, fish, watch wildlife and educate children about the environment. An investment in the



Nation's Refuge System is an excellent investment in the American economy, generating \$2.4 billion and creating about 35,000 jobs in local economies. Without increased funding for refuges, wildlife conservation and public recreation opportunities will be jeopardized. We fully supported the U.S. Fish and Wildlife's request of \$508.2 million for Operation and Management for the National Wildlife Refuge System.

2. Appropriate \$60 million in the National Wildlife Refuge Fund in fiscal year 2016 which offsets losses in local government tax revenue because lands owned by the Refuge System are exempt from taxation.

3. We are requesting \$173.8 million in LWCF funding for Refuge land acquisitions/conservation easements and we call for full funding of LWCF at \$900 million. The Land and Water Conservation Fund is our Nation's premier Federal program to acquire and protect lands at national parks, forests, refuges, and public lands and at State parks, trails, and recreational facilities. These sites across the country provide the public with substantial social and economic benefits including promoting healthier lifestyles through active recreation, protecting drinking water and watersheds, improving wildfire management, and assisting the adaptation of wildlife and fisheries to climate change. The quality of place is greatly enhanced. As you know, LWCF uses no tax payer dollars. Instead, LWCF funds are primarily derived from oil and gas receipts paid to the Federal Government by oil companies that extract publicly owned resources from the Outer Continental Shelf. Congress created LWCF as a bi-partisan promise to return precious resources back to the American public by using these funds specifically for conservation and recreational purposes. Unfortunately over the 50 year history of LWCF, over \$18 billion has been diverted from the original conservation fund purpose. For all these reasons, LWCF needs to be funded at the \$900 million level in fiscal year 2016. Created by Congress in 1964 and authorized at \$900 million per year (more than \$3 billion in today's dollars), the LWCF is our most important land and easement acquisition tool. In the President's budget, he has included full funding for LWCF programs at the \$900 million level, and I support the administration's commitment to fully funding the program. I urge a minimal commitment of \$173.8 million to the National Wildlife Refuge System. This wise investment in the Land and Water Conservation Fund is one that will permanently pay dividends to the American people and to our great natural and historical heritage. The Land and Water Conservation Fund should be fully funded at \$900 million annually—the congressionally authorized level. LWCF is good for the economy, it is good for America's communities and their recreational access; it is critical for our public lands and wildlife habitat.

The Land, Water and Conservation Fund has provided incredible benefit to the State of Maine. We have six National Wildlife Refuges and our only National Park, Acadia, attracts a huge amount of tourist each year and offers great recreational activities to the local citizens of the State. LWCF and the Forest Legacy program have conserved tens of thousands of acres in our interior forestlands and ensures that forestry and recreational access for all will be a huge part of our economy for generations to come. As a Mainer, I also wanted to highlight the importance of LWCF funding to other parts of the State beyond Rachel Carson NWR. We have a Crown Jewel of the national park system at Acadia National Park, which will celebrate its centennial in 2016 and has continuing LWCF acquisition needs. Millions visit Acadia every year. And we have incredibly valuable private forests whose permanent protection through Forest Legacy Program funding means that our tourist and timber industries—our two largest—can thrive together. I just visited the rural town of Phillips, Maine where I enjoyed cross country skiing on a trail on a just-completed Forest Legacy project, and I spent my money locally on lodging, food and equipment. So, LWCF funding for conservation in Maine is critical to the rural economy and National Wildlife Refuges. And it is matched by other funding, and enjoys broad support from forest landowners, snowmobilers hikers and birdwatchers alike. I cannot emphasize enough how important LWCF funding is to Maine and the remaining 49 United States.

I again extend our appreciation to the subcommittee for its ongoing commitment to our National Wildlife Refuge System and respectfully request the Interior, Environment and Related Agencies Appropriations Subcommittee allocate \$508.2 million for the Refuge System's fiscal year 2016 Operations & Maintenance Budget, \$60 million in the National Wildlife Refuge Fund and \$178.8 million in Refuge LWCF monies. We need Congress to standby their commitment that was made in 1964: stabilize the LWCF at \$900 million.

Thank you again, Ms. Chairman, for the opportunity to present this testimony in support of protecting wildlife and it's habitat. Enjoy your next walk out on a National Wildlife Refuge.

PREPARED STATEMENT OF THE FRIENDS OF THE ARTHUR R. MARSHALL LOXAHATCHEE  
NATIONAL WILDLIFE REFUGE

Our Friends organization would like to submit testimony in support of the budget requests made by the National Wildlife Refuge Association (NWRA) on behalf of the National Wildlife Refuge System and Refuges such as ours. In particular, we would like to emphasize the importance of their requests for:

- \$508.2 million for the Operations and Maintenance (O&M) accounts of the NWRS
- \$900 million for the Land and Water Conservation Fund (LWCF), with \$173.8 million allocated for the Fish and Wildlife Service (FWS)
- \$60 million for the Refuge Fund
- \$75 million for the FWS Partners for Fish and Wildlife Program
- \$60 million for FWS for Preparedness and Hazardous Fuels Reduction
- \$50 million for the North American Wetlands Conservation Fund
- \$5 million for the Neotropical Migratory Bird Fund

In addition to echoing these requests made by NWRA, I would like to make to make one additional request for our Refuge:

- \$5 million for removal and treatment of invasive exotics

At 143,874 acres, our Refuge is the largest remaining remnant of the once vast northern Everglades. While restoration of the hydrology of the greater Everglades system has gotten a lot of attention and deservedly so, the problem of invasive exotics such as Melaleuca, Brazilian Pepper and the most insidious of all, Lygodium (Old World Climbing Fern), has been under-reported.

As a member of our Friends board of directors for the past 9 years and president for the last 2 years, I have watched an ever-diminishing number of Refuge staff members struggle to maintain visitor access and keep our small public use program going, while trying to protect and restore the resource, but I see it becoming a losing battle. We are actually lucky when the fires out West and in other parts of the country call our fire crew away, so they can be paid out of someone else's budget. When Refuge staff have to make tradeoffs as they do now between treating more areas for invasives, or re-treating areas that are now under maintenance control, we see from aerial maps that we are losing ground. Restoring water to the Everglades will save our water supply, but when Lygodium envelops and smothers tree island after tree island, the iconic wildlife of the Everglades may be no better off.

As someone who cares about the Everglades and our Refuge and their importance to the people and wildlife of south Florida, I hope you will appreciate the need and take these requests seriously. Our organization represents approximately 300 concerned citizens who are just a small portion of the 300,000 visitors our Refuge receives annually. Whether they appreciate our Refuge for its wildlife or its recreational opportunities or its importance to our water supply, I think every one of them would tell you that this is a special place that deserves our attention.

Thank you for your consideration of these budget requests.

[This statement was submitted by Elinor R. Williams, *President*.]

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PREPARED STATEMENT OF THE FRIENDS OF THE LITTLE PEND OREILLE NATIONAL  
WILDLIFE REFUGE

Madam Chair and members of the subcommittee:

The Friends of the Little Pend Oreille National Wildlife Refuge (FLPONWR) and its members would like to thank you for this opportunity to testify before the subcommittee concerning the funding of National Wildlife Refuge system for fiscal year 2016. We ask you to support the Presidents funding proposal of \$508.2 million for the refuge system. We feel that any less funding could have negative impacts on the refuges ability to protect and enhance the environment and wildlife within the refuge system. Less funding would also impact local economies, jobs, recreation and environmental education. The Little Pend Oreille NWR (LPONWR) is a unique refuge that needs your support.

A budget item that is critical to the Little Pend Oreille and to indeed critical to all the forests in the west is funding for Hazardous Fuels Reduction. So we would ask for your support to appropriate \$60 million dedicated to the support the refuge system's fire program through the Department of Interior's Hazardous Fuels Reduction program. Not only does this program help to elevate catastrophic fires it is also a vital tool in wildlife management. I will have more details of how this program directly effects the Little Pend Oreille NWR later.

We are also asking for your support to provide 173.8 million from the land and Water Conservation fund for the purchasing of in-holdings that are of vital ecological importance and also the purchase of in-holding leads to better wildlife connectivity and allows for more cohesive management of the ecosystem.

#### THE LITTLE PEND OREILLE WILDLIFE REFUGE

The LPONWR is located in the northeast part of Washington State near the small city of Colville. The LPONWR is just over 40,000 acres and is the only mountainous mixed conifer refuge in the lower 48.

It also has several small lakes, ponds, streams, marshes and the Little Pend Oreille river that support a wide variety of wildlife from songbirds, every woodpecker native to the Rockies, and waterfowl to bears, bobcats, cougars, elk, moose and white-tailed deer. Interestingly the protection of the white-tailed deer and song birds were the main reasons for the establishment of the refuge. The refuge is considered critical winter habitat for the deer. Small amphibians, small reptiles, butterflies, dragonflies are also important parts of the refuges ecosystem.

The refuge also comprises large stands of ponderosa pine which have very little protection outside of the refuge. The protection of the pine habitat is of critical importance to the future of the white tailed deer, elk and the other species, such as the threatened Columbia ground squirrel that are connected to this habitat.

#### VISITATION AND ECONOMICS

The LPONWR has about 60,000 visitors per year who enjoy activities such as bird watching, hiking, camping, mountain biking, hunting, horseback riding and hunting. Not only do people enjoy these activities but they are also a positive contribution to the local economies. According to the 2004 "Banking on Nature" economic study the refuge visitors had a "final economic demand," to the local economy, of almost \$3.7 million and helped to generate 42 jobs (a significant number in this rural community). If you compare this to the refuge budget there was "\$3.82 of recreational benefits for every \$1 of refuge expenditures." All in all a very good investment.

If we compare this to the 2011 Banking on nature study the final demand totaled \$3.9 million with associated employment of 30 jobs. The big number here is the loss of 12 jobs. With a loss a staff projects such as mechanical and hand thinning cannot be set up and managed thus leading to a loss in private sector jobs in an area that is already economically depressed.

#### HABITAT PROTECTION AND ENHANCEMENT

Over the past 20 years the refuge has been hard at work restoring a healthy forest and habitat at the refuge after about 30 years of management by the State. While always a federally owned wildlife refuge there was a management agreement between the State and the National Fish and Wildlife Service starting in the 1960's and ended in the early 1990's after the Government Accountability Office (GAO) found it to not be in the best interest of the refuges in question (the LPONWR).

Many illegal roads have been closed, lakes rehabilitated, and the health of the forest has also been greatly improved providing a much better habitat for the native wildlife. But there is still much work left to be done.

One of the most important roles the refuge staff has been forest rehabilitation through prescribed burns and thinning operations (which provide jobs to local loggers and bring wood to local mills) which have helped to open up overcrowded forests, reduce the chance of catastrophic fires. These operations also help neighboring property owners from the chance of fire spreading to their property. These burns and thinning operations also help to keep meadows open and productive providing a food source for deer, elk, moose and other wildlife.

It is important to know that the Little Pend Oreille NWR, along with a large percentage of western forests, are in a fire ecology. Meaning that these forests rely on fires to keep them healthy and productive. We know that because of past management policies and our lack of understanding of the importance of fire to these ecosystems our forests have become overcrowded which is contributing to large catastrophic fires and the reduction of habitat for animals such as elk and deer whom rely on open forests and meadows. To keep up the pace of keeping our forest healthy I respectfully ask for your support in appropriating \$60 million in dedicated funding to the refuge system.

What does this mean for the Little Pend Oreille NWR. The refuge has about 10,000 acres that are open pine and mixed forests that are reliant on fire. The goal was and is to keep these acres on a 10 year fire rotation. The years from 2000-2010 the refuge was able to complete about 1000 acres of prescribed burns per year

to keep on target. The last 4 years, because of reduction of staff, the refuge is down to around 100 acres per year. The reduction in staff also leads to less commercial thinning project, as part of fuels reduction, as the refuge is lacking the staff to lay out and manage the thinning. This leads to a loss of private sector logging jobs as well as less logs going to the local mills.

If the refuge does not have the resources for Fire and Fuels Reduction to keep up pace we risk the loss of habitat and we increase the chance of a large catastrophic fire. Interestingly the refuge as a good example of the importance of fuels Reduction. A few years ago a fire (Slide Creek) was started by a lightning strike off the refuge in private timber land. This land had not gone through and fuels reduction or thinning. The fire “crowned” a took off toward the refuge in an area that the refuge had recently had a thinning project to reduce fuels. When the fire hit the refuge land instead of staying a “crowning” fire going through the trees it sat down and became a ground fire which is much easier to control and is what mother nature would have done in the past. By this fire sitting down the refuge showed that it is a good neighbor and the Fuels Reduction possibly saved many acres of not only refuge but also private, State and other Federal lands.

The staff has also worked to rehabilitate the lakes, ponds, marshes, streams and the river. One examples is the removal of tench and Eurasian milfoil from Lake McDowell which is still may always be an ongoing battle. This year another invasive was introduced to the lake (Sun Fish). This fall the refuge and the State worked together to hopefully rid the lake of these invasive species. But as the past shows it will be a continuing battle.

#### REVENUE SHARING PROGRAM

Being in a rural area with a high poverty rate the Revenue Sharing Program is of vital importance to our communities. It help to pay for schools, libraries, fire protection, roads, law enforcement and the list goes on. However the currant system and it formula for calculating these payments is out of date and insufficient. Along these lines we are asking for your support in moving the Refuge Revenue Sharing Program to the PILT program as it is a more adequate system. In the mean time we ask for you to appropriate \$60 million to the Refuge Fund to insure that local communities receive proper compensation. It is also just part of being a good neighbor and part of the community.

#### FRIENDS AND THE REFUGE

Our organization (FLPONWR) was established in 2001 and has work tirelessly with the refuge to make many improvements at the refuge and help to reach out to the public about the importance of the refuge. Our public outreach also points out to people all of the recreational opportunities that the refuge offers.

One of our concerns is if budget cuts lead to cut in staff this could harm our collaborative efforts. Being a small organization (80–90 members) and in an area with a small population there is no dedicated staff member to coordinate volunteers. The staff has done an outstanding job working with us and we feel that any staff cut could make collaboration with staff more difficult as individual staff members would have more work and less time to help the volunteers. You must know that the volunteers in the refuge system as a whole play a vital role in helping out and improving the refuge system. But volunteers can only do so much.

#### FINAL APPROPRIATINS REQUESTS

I respectively request your support for the full funding of the National Wildlife Refuge Systems at \$508.2 million for fiscal year 2016, provide 173.8 million to the Land and Water Conservation Fund, appropriate \$60 million to the Refuge Fund to ensure compliance with the Refuge Revenue Sharing Program to help compensate local communities who this funding is critical for, fully fund the Partners for Fish and Wildlife Program at \$75 million, increase the Coastal Grant Program to \$14 million in fiscal year 16, appropriate \$70 million for State Wildlife Grants, appropriate \$11 million for the Multinational Species Conservation Fund, \$5 million for the Neotropical Migratory Bird Conservation Fund, allocate \$50 million for the North American Wetlands Conservation Fund and lastly the appropriate \$60 million in funding to the refuge systems fire program through the Department of Interior's Hazardous Fuels Reduction Program.

In closing I cannot stress enough how important it is to fully fund the refuge system. Further cuts will hurt the environment and wildlife. Local economies will also be hurt by less employment and tax revenues. By fully funding the refuge system we help to ensure that we protect these special places for future generations.

On behalf of the Friends of the Little Pend Oreille, thanks for listening.

PREPARED STATEMENT OF THE FRIENDS OF THE LOWER SUWANNEE AND CEDAR KEYS  
NATIONAL WILDLIFE REFUGES

On behalf of over 200 Friends members, we strongly urge the increased funding for the National Refuge System. Since 2006, the National system has grown from 500 to 560+ refuges. The funding support has not kept pace with the increase. During this time, the Lower Suwannee and Cedar Keys NWR has dropped from 14 to 9 staff members. By June of this year, we will be down to 7 members unless funding is available to replace two positions being vacated. As if that is not enough to worry about, our manager also has a title of Deputy Complex Manager of the North Florida Complex with responsibilities extending from Tampa Bay to St. Vincent in the Big Bend area of Florida. He spends most of his time dealing with manatee issues in Crystal River. It appears that, this "complex" title is just another way of not fully supporting the refuge system.

We would also urge you to reauthorize the Land and Water Conservation Fund (LWCF) to the \$900 million per year originally proposed funding. In our area, there have been excellent opportunities for both land acquisition, as well as, conservation easements.

We would also urge you to provide special funding to be used to help compensate local governments for their loss of property tax revenue.

While the primary mission of the refuge system is focused on wildlife conservation, it is also important to recognize that the system is an economic engine. The report, *Banking on Nature*, points out that in 2011 for every dollar invested in the refuge system, there had been a \$4.87 return to the local communities. Over 70 percent of this revenue came from non-local visitors who were attracted to non-consumptive activities like wildlife viewing, photography and hiking in the refuges. The fact that the Friends of the Lower Suwannee and Cedar Keys NWR are having 3–4 thousand folks visit on our Web page each month, verifies the fact that we are reaching a large non-local crowd (please check us out at [friendsofrefuges.org](http://friendsofrefuges.org)). Funding of the refuge system should be considered an investment with a great rate of return.

The Lower Suwannee NWR comprises over 52,000 acres that is split by the historic Suwannee River for the last 20–25 miles where the river empties into the Gulf of Mexico. The Cedar Keys NWR is composed of some 727 acres on 13 islands in the Gulf of Mexico. Because of their non contiguous nature, both refuges face challenging management issues.

The Lower Suwannee NWR is special and unique in the following ways:

- The pristine natural condition of the refuge helps protect the environmental health of the Suwannee River and the surrounding area.
- The Suwannee River is home to a wide variety of plant and animal life. The river is the most important spawning ground for the protected Gulf sturgeon. The river is also an important habitat for the endangered manatee.
- The refuge contains a unique combination of upland hardwood, wetland/swamp, and saltwater marsh habitats. Uniquely, one can find both temperate and tropical types of vegetation in the refuge.
- The refuge provides habitat for a wide variety of birds including 15 endangered or threatened species like the Bald Eagle. The refuge is an important nesting site for the short-tailed hawk of which there are only an estimated 200 mating pairs in the wild. The swallowtail kite once widespread, now is restricted to just the Southeastern portion of the United States with the refuge being a very important nesting site.
- Combined with surrounding State Parks, the refuge will become an even more important conservation area as Florida's population increases.
- With constructed bat houses, the refuge has successfully established a viable bat population that serves as a model for future bat projects.
- Many important cultural heritage sites are also to be found in the refuge.

The Cedar Keys NWR is special and unique in the following ways:

- The 727 acre refuge composed of 13 islands is a major rookery for pelicans and a wide variety of shore birds.
- As studied by the University of Florida's Florida Marine Center, of particular interest is the symbiotic relationship of cottonmouth moccasins and nesting birds on Seahorse Key. The moccasins provide protection from predators like raccoons and rats for the nesting birds. In return, the birds provide a steady diet of fish for the moccasins. This is the only place on Earth that such a relationship between snakes and birds exists.
- Lower Suwannee Archaeological Survey of the University of Florida has uncovered prehistorical sites dating back over 4,000 years.

- Historically, the refuge contains important historical structures including the Seahorse Key Lighthouse designed in the 1850s by Lieutenant George Meade, later to become General Meade of Gettysburg fame. It is also of interest that the lighthouse sits on a natural dune that is some 50+ feet above sea level. This makes it one of the highest points in the Big Bend area of Florida.
- This refuge also provides a vital barrier island system.

Presently, the most critical problem we face involves staffing. With adequate staffing, and with operational funding, the refuge staff, with the help of the Friends of the Lower Suwannee and Cedar Keys NWR, would be able to:

- Provide better monitoring of the health of the refuges' habitat,
- Consistently police the proper utilization of the resources of the refuges to protect the habitat and its wildlife,
- Conduct more programs for school children to learn about conservation,
- Expand the conservation efforts across other public agencies, as well as private stakeholders, to deal with common problems like invasive species eradication and the protection of endangered species,
- Upgrade and maintain public facilities like roads, docks, boardwalks, observation stations and signage,
- Expand public access and use of the refuges, and
- Monitor, manage, and protect the floral and fauna in the refuges.

Thank you for considering these requests.

[This statement was submitted by Dr. Jay Bushnell, *Advocacy Chair*.]

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PREPARED STATEMENT OF THE FRIENDS OF THE SAVANNAH COASTAL WILDLIFE  
REFUGES

Madam Chair and members of the subcommittee:

On behalf of Friends of the Savannah Coastal Wildlife Refuges and its membership of concerned citizens of coastal Georgia and South Carolina, thank you for your support for the National Wildlife Refuge System (NWRS), particularly for the funding increase for fiscal year 2015. We appreciate the opportunity to offer comments on the fiscal year 2016 Interior Appropriations bill and join with the National Wildlife Refuge Association (NWRA) in respectfully requesting:

- \$508.2 million for the Operations and Maintenance (O&M) accounts of the NWRS, including \$5 million for the Pacific Marine Monuments;
- \$900 million for the Land and Water Conservation Fund (LWCF), with \$173.8 million allocated for the FWS, including \$10 million for Everglades Headwaters NWR and Conservation Area (Florida); \$3 million for Silvio O. Conte NFWR (Connecticut, New Hampshire, Vermont, Massachusetts); \$3 million for Cache River NWR (Arizona); \$3 million for Flint Hills Legacy Conservation Area (Kansas); \$2 million for Bear River Watershed Conservation Area (Wyoming, Idaho, Utah); \$3.4 million for Blackwater NWR (Maryland); and \$1 million for the Clarks River NWR (Kentucky);
- \$60 million for the Refuge Fund;
- \$75 million for the FWS Partners for Fish and Wildlife Program;
- \$14 million for the FWS Coastal Program;
- \$60 million for FWS for Preparedness and Hazardous Fuels Reduction (under the Department of the Interior (DOI));
- \$70 million for the State and Tribal Wildlife Grants Program;
- \$50 million for the North American Wetlands Conservation Fund;
- \$5 million for the Neotropical Migratory Bird Fund;
- \$11 million for the Multinational Species Conservation Fund.

We understand our Nation's challenging fiscal constraints but cutting funding to programs that are economic drivers and job creators in local communities only exacerbates an already difficult situation. For example, the NWRS averages almost \$5 in economic return for every \$1 appropriated and the Partners for Fish and Wildlife program returns nearly \$16 for every \$1 spent on projects. Unfortunately, just when these public lands and programs could return economic output to communities and help them through the recession, funding fell dramatically. The refuge system is approximately \$72 million below what would be needed to keep pace with inflation relative to the fiscal year 2010 level (\$545.8 million inflation-adjusted).

To begin bridging that gap, we join with NWRS in urging that Congress fund these critical programs that leverage Federal dollars and serve as economic drivers.

## NATIONAL WILDLIFE REFUGE SYSTEM—OPERATIONS AND MAINTENANCE

The Cooperative Alliance for Refuge Enhancement (CARE) is a diverse coalition of 23 sporting, conservation, and scientific organizations representing more than 16 million Americans that supports increased funding for the refuge system. CARE estimates the NWRS needs at least \$900 million annually to manage its 150 million acres of land and over 400 million acres of national marine monuments, yet it is currently funded at roughly half that amount—at less than \$1 per acre. The refuge system cannot fulfill its obligation to the American public, our wildlife, wildlife habitat, and 47 million annual visitors without increases in maintenance and operation funds.

Funding for the refuge system has declined substantially from a funding level of \$503 million in fiscal year 2010 to its current \$474.2 million—\$72 million below what it needs to keep pace with inflation. This has forced the Service to cut back on programs and create efficiencies whenever possible. Because of these hard decisions, the Service has cut their maintenance backlog in half from \$2.7 billion to \$1.3 billion. But budget cuts also led to the loss of 430 positions since fiscal year 2011 and thus an increase in the operations backlog, now at \$735 million. Because most refuge lands and waters are highly managed, this deterioration in staffing has had a dramatic impact resulting in significant declines in habitat preservation and management, hunting, fishing, volunteerism and scientific research. We have seen firsthand what staff reductions have done to the ability of the staff of the Savannah Coastal Refuges Complex to carry out their mission on the seven Refuges in our area, at a time when they are receiving increasing requests for educational programs and increased visitation.

For instance, visitor services staff has declined by 15 percent, forcing a reduction in public programs and hours of operation. Hunting visits are down by 5 percent since fiscal year 2011 and fishing visits are down 7 percent. Overall, there are fewer opportunities for the public to recreate, yet the desire for such programs is still high and visitation to all refuges since fiscal year 2011 has actually increased by 2.6 percent.

Reductions in visitor services can be extremely troubling to constituencies who want to visit. Take the Midway Atoll NWR in the Hawaiian Islands. In November of 2013, due to sequestration cuts, the Service suspended the visitor services program at Midway. Although in the 5 years prior to this suspension, the refuge saw only about 300 annual visitors, those visitors were passionate about their reasons for visiting. Whatever their reasons, they wanted to have one of the most unique refuge experiences in the entire System. Congress has asked for a Government Accountability Office (GAO) investigation on why the Service suspended its program; yet it's clear that when you cut the budget and lose several positions including a permanent Wildlife Biologist, Park Ranger, and Law Enforcement Officer, there will be ramifications.

Equally troubling is the 15 percent drop in the number of volunteers since fiscal year 2011. At a time when record numbers of Americans are retiring and have the capability to give back, the Service's ability to oversee their efforts has been curtailed. Volunteers provide up to 20 percent of work done on our national wildlife refuges, yet they are being turned away when the System needs them the most.

During these years of challenging budgets, the refuge system's potential to drive local economies and create jobs is of paramount importance. *Banking On Nature*, a report issued by the U.S. Fish and Wildlife Service (FWS) in 2013, shows that even during the worst recession since the Great Depression, the refuge system saw sales and economic output increase 20 percent to \$2.4 billion, visitation increase 30 percent to 46.5 million, average return on investment increase 22 percent to \$4.87 for every \$1 appropriated, and supported jobs increase 23 percent to 35,000.

## STRATEGIC GROWTH

The Land and Water Conservation Fund (LWCF) is an essential tool for protecting the integrity of the refuge system and is the primary funding source for land and conservation easement acquisition by Federal land agencies.

Increasingly, LWCF is being used to conserve working lands through the acquisition of easements that secure conservation protection while leaving the land in private ownership and on the tax rolls. Conservation easements are powerful tools that foster public-private partnerships with ranchers, farmers and foresters to conserve wildlife, habitat and a uniquely American way of life. Innovative landscape-scale initiatives using easements as a primary conservation tool have broad community and State support in New England's Connecticut River Watershed, the Flint Hills of Kansas, the Everglades Headwaters, Montana's Crown of the Continent, and the Dakota Grasslands. These iconic landscapes remain privately managed, generating

tax income for local communities, securing our Nation's food, and balancing resource use and resource protection for wildlife.

By acquiring critical habitat areas and linking conserved lands, the refuge system enhances the overall integrity of the system and strengthens our network of habitat to give wildlife space and time to respond to changes, whether from climate or changing land use patterns.

The Friends call on Congress to fund LWCF at \$900 million per year, with \$173.8 million provided in fiscal year 2016 to the FWS for conservation easements and refuge in-holdings, including the following projects and those advocated by other refuge Friends groups:

- Everglades Headwaters NWR and Conservation Area (Florida)—\$10 million;
- Cache River NWR (Arizona)—\$3 million;
- Silvio O. Conte NFWR (New Hampshire, Vermont, Massachusetts, Connecticut)—\$3 million;
- Flint Hills Legacy Conservation Area (Kansas)—\$3 million;
- Bear River Watershed Conservation Area (Wyoming, Idaho, Utah)—\$2 million;
- Blackwater NWR (Maryland)—\$3.4 million;
- Clarks River NWR (Kentucky)—\$1 million.

#### COMMITMENT TO REFUGE COMMUNITIES—REFUGE FUND

The refuge system uses net income derived from permits and timber harvests to make payments to local communities to offset property tax revenue lost when the federally acquired lands are removed from local tax rolls, and relies on congressional appropriations to the Refuge Fund to compensate for the shortfall between revenues and tax replacement obligations. Unfortunately, declining revenues and lack of appropriations have resulted in the Service paying less than 50 percent of its tax-offset obligations since 2001. The negative impact on local communities is felt even more starkly in difficult economic times and severely strains relations between the Federal units and their local community, threatening the goodwill and partnerships that are keystones of successful conservation. The Friends request \$60 million for the Refuge Fund and thanks Chairman Calvert for his leadership in fiscal year 2015 to pursue a much-needed increase. We also call for a review of the Refuge Revenue Sharing Act of 1935 as amended, and consideration of conversion to a Payment-in-Lieu of Taxes (PILT) program to be consistent with other Federal land management agencies and to provide Refuge communities with more equitable payments.

#### PARTNERSHIPS

With 75 percent of all fish and wildlife species dependent upon private lands for their survival, the Partners for Fish and Wildlife program (Partners Program) is one of the most powerful tools for protecting wildlife where it lives. By building effective partnerships between public agencies and private landowners to conserve America's expansive working landscapes, the Partners Program has implemented nearly 29,000 restoration projects in the past 25 years, restoring over one million acres of wetlands, three million acres of uplands, and 11,000 miles of streams. The program has been instrumental in the success of such iconic landscape conservation projects as the Rocky Mountain Front and Blackfoot Challenge in Montana and the Flint Hills in Kansas, and is playing a key role in conserving greater sage-grouse habitat in the intermountain west.

The Partners program consistently leverages Federal dollars for conservation, generating nearly \$16 in economic return for every \$1 appropriated for projects. The Friends join with the landowner-led Partners for Conservation in requesting \$75 million for fiscal year 2016. Such a funding level would result in an additional \$400 million worth of conservation across the Nation.

The Partners Program provides a bridge between private and public conservation efforts that has been instrumental in the success of large landscape partnerships from Montana to Florida, and is playing a key role in conserving greater sage-grouse habitat in the intermountain west. To this end, we request an additional \$78 million for the Interior agencies to implement sagebrush steppe habitat conservation and monitoring efforts that will leverage \$300 million in Department of Agriculture investments across the west.

#### SHARING LESSONS AND PROTECTING GLOBAL SPECIES

Wildlife species know no international boundaries, therefore conservation must happen globally to ensure populations survive. Many international wildlife agencies look to the refuge system as the world leader in wildlife and fish conservation. The Service's Wildlife Without Borders Program and Multinational Species Conservation Funds together support global partnerships to protect marine turtles, tigers and



rhinos, great apes and elephants and other iconic species. These programs are particularly important as wildlife face a poaching crisis that is leading species such as rhinos to the brink of extinction. The Friends join the student-led Tigers 4 Tigers Coalition in requesting \$11 million for the Multinational Species Conservation Fund in fiscal year 2016.

#### IN CONCLUSION

We believe that with sound conservation policy, adequate funding, and the power of more than 40,000 dedicated volunteers, the refuge system can fulfill its mission to provide wildlife dependent recreation for Americans and protect the habitat for more than 700 species of birds, 220 species of mammals, 250 reptile and amphibian species and more than 1,000 species of fish. Friends of the Savannah Coastal Wildlife Refuges Complex urges you to build on your past support for the refuge system by allocating the funds detailed above for fiscal year 2016.

Thank you for your consideration.

[This statement was submitted by Richard O. Shields, Jr., MD, *President*.]

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#### PREPARED STATEMENT OF THE FRIENDS OF THE TAMPA BAY NATIONAL WILDLIFE REFUGES, INC.

Mr. Chairman and members of the subcommittee,

On behalf of the 225 members of the Friends of the Tampa Bay National Wildlife Refuges (FTBNWR), (Egmont Key National Wildlife Refuge (NWR), Passage Key NWR, and Pinellas NWR), I would like to thank you for your commitment to the National Wildlife Refuge System (NWRS) and the funding increase that you passed for fiscal year 2015. We realize that in this time of tight budgets, it may be difficult to justify increasing the NWRS funding, but once the refuges start to decline it will cost many times more than these small increases to return them to a condition that will fulfill their mandates. We respectfully request that you consider the following in your appropriations for fiscal year 2016:

- Fund \$508.2 million for the National Wildlife Refuge System including \$5 million for the Pacific Marine Monuments.
- Fund \$900 million for the Land and Water Conservation Fund (LWCF), including a minimal commitment of \$173.8 million for the NWRS, including \$10 million for Everglades Headwaters NWR and Conservation Area in Florida, \$3 million for Silvio O. Conte NWR, \$3 million for Cache River NWR, \$3 million for Flint Hills Legacy Conservation Area, \$2 million for Bear River Watershed Conservation Area, \$3.4 million for Blackwater NWR, and \$1 million for Clarks River NWR.
- Fund \$50 million for the North American Wetlands Conservation Act (NAWCA).
- Fund \$70 million for State and Tribal Wildlife Grants.
- Fund \$5 million for the Neotropical Migratory Bird Conservation Fund (NMBCF).
- Fund \$14 million for FWS Coastal Grants.
- Fund \$60 million for the Department of Interior's Fire Management Program.
- Fund \$11 million for the Multinational Species Conservation Fund
- Fund \$75 million for the FWS Partners for Fish and Wildlife Program.
- Fund \$60 million for the Refuge Fund.

The Cooperative Alliance for Refuge Enhancement (CARE) estimates that the NWRS needs a budget of at least \$900 million annually in operation and maintenance funding in order to properly administer its 150 million acres and over 400 million acres of national marine monuments. The refuge system cannot fulfill its obligation to the Refuge Improvement Act, American public, our wildlife, and approximately 47 million annual visitors without increases in maintenance and operation funds. The current budget is far short of the amount actually required to effectively operate and maintain the refuges. The refuge system is currently funded at \$474 million. Taking inflationary needs into account, they are about \$72 million below where they were in fiscal year 2010. Fiscal year 2010's appropriation of \$503.3 million was cut significantly in the following years and by fiscal year 2013 was down to \$452.6 million. These cuts were devastating to refuge operations and staffing. We respectfully request that you increase the NWRS budget to \$508.2 million so that the refuges do not backslide even further in protecting these valuable lands and ecosystems. The investment yields an impressive return, generating approximately 35,000 jobs and \$2.4 billion in economic output each year. Every dollar appropriated to the refuge system returns an average of \$5 to local economies as well as pro-

viding \$33 billion dollars' worth of clean water and other environmental benefits such as clean air and water and a cool climate.

The Land and Water Conservation Fund was created in 1965 and authorized at \$900 million. We ask that you reauthorize the LWCF at \$900 million for fiscal year 2016 with a minimal commitment of \$173.8 million to the National Wildlife Refuge System. These funds are used for land acquisition as well as less expensive easements or leases to protect wildlife and their habitats. With the effects of a changing climate, it is more important now than ever to establish key wildlife corridors between protected areas so wildlife can migrate to more suitable habitat as their historic ones change. These landscape level conservation efforts through conservation easements and land purchases are the best way to protect the diversity of flora and fauna. The price of real estate is still recovering at this time and the \$900 million can go much further in protecting habitats than it can in a higher market. When we start to lose species due to lack of food, water, shelter, or space, we are changing the balance of nature. We urge you to fund the LWCF at \$900 million for fiscal year 2016 with \$173.8 million to acquire conservation easements on working lands and to purchase in-holdings and vital habitat for the NWRS. The LWCF is not funded by taxpayer money.

We ask that you appropriate \$50 million in fiscal year 2016 for the North American Wetlands Conservation Act (NAWCA). NAWCA supports habitat restoration, water quality improvements, and carbon sequestration. These projects developed by individuals and at the community level benefit our declining migratory bird species as well as ducks and waterfowl.

Essential conservation programs to protect habitat and wildlife will cut expenses in the future by protecting and improving what we have today.

- We request that you fund the State and Tribal Wildlife Grants Program at \$70 million to fulfill the shared Federal-State responsibility for keeping our Nation's wildlife from becoming endangered.
- The Neotropical Migratory Bird Conservation Fund grants conserve habitats for Neotropical birds as they migrate. It covers areas outside of refuges and often outside the U.S. that many of our birds utilize during critical periods of their life. We request you fund the NMBCF at \$5 million for fiscal year 2016.
- The Coastal Grants Program provides technical and financial assistance for voluntary efforts to protect and restore coastal habitats for wildlife. We ask that you fund this program at \$14 million for fiscal year 2016.
- Prescribed burns keep our refuges from becoming overgrown or having catastrophic fires due to high fuel loads due to fire suppression. It is an important tool for managing wildlife habitat. We urge you to provide \$60 million in dedicated funding to the refuge system's fire program through the Department of the Interior's Hazardous Fuel Reduction program.
- Lastly we ask that you fund the Multinational Species Conservation Fund at \$11 million.

Funding for the Refuge Fund (Refuge Revenue Sharing Program) ensures that local communities receive proper compensation for having Federal lands that are not on the tax rolls. Federal lands are exempt from real estate taxes. These taxes are the major revenue source for most local governments across the country, funding services such as schools, libraries, sanitation, law enforcement and fire protection. In 1935 Congress acknowledged the relationship between local communities and the refuge system and enabled the refuges to give back to their local communities. The Refuge Revenue Sharing Program offsets lost local tax revenue by providing payments to local governments from net income derived from permits and wildlife refuge activities. The U.S. Fish and Wildlife Service (USFWS) pays localities using a formula created by Congress. However, declining revenues and appropriation shortfalls have resulted in the Service paying less than 50 percent of its tax-offset obligations since 2001. It's important that the National Wildlife Refuge System is a good neighbor and makes good on its obligations. Please fund the Refuge Fund at \$60 million in fiscal year 2016.

The Tampa Bay Refuges are located at the mouth of Tampa Bay on the west central Gulf coast of Florida. The budget increases prior to 2011 meant increased management, protection, and restoration of the refuges and the ability to better meet the Comprehensive Conservation Plan (CCP) goals. The wildlife on the refuges did well with the extra help. Due to those past increases in budget and personnel the TBRs were able to plan for big picture issues such as erosion and increased public use. Unfortunately, due to the budget decreases, much of that planning will not be implemented. The budget decreases and the sequestration have hurt our refuges.

- The Tampa Bay Refuges have not had a full time manager for the past 1.5 years.

- We are coming into the summer nesting season on the Egmont Key NWR. Without a manager and with the heavy visitation in the warmer months, this is a big problem. The refuge law enforcement (LE) officers are not able to patrol Egmont Key as often during the key summer nesting season due to restrictions. This leaves the nesting birds open to more intrusions by refuge visitors and nesting failures. Pinellas and Passage Key NWR's are not open to the public but the refuges do not have the budget necessary to patrol these islands to prevent the public from causing unintentional harm as the birds nest.
- If a staff member leaves, he/she may not be replaced so the refuge can stay afloat financially for the rest of this fiscal year because of the budget shortfalls.
- The refuge was able to begin to eradicate exotic plants and predators on the refuges, but with the budget, there is little or no money to monitor and keep up with the work that has already been done. The result will be degraded habitat for refuges and their wildlife, including nesting failures. Birds have returned to nest on 2 more of the Pinellas Refuge islands because of these efforts. Without continued maintenance the birds may fail.
- Fire management budgets have been cut and prescribed fires have not been conducted Egmont Key as needed. This opens the island, its historic buildings, and visitor center up to a much higher catastrophic wildfire risk.
- The Ft. Dade Guardhouse on Egmont Key NWR has been restored and is now the visitor center. The refuge had grant money and installed the first phase of the displays, but with the budgets the way they are the refuge staff does not have time to keep this important environmental education center open to the public.
- Egmont Key NWR has a huge erosion problem and can possibly be lost. Because it is in an urban setting, the approximately 32,000 pairs of birds who nest there yearly don't have another location to go to. Passage Key NWR is starting to come back above water. Last year the colonial nesting birds including endangered Least Terns began to nest on the island. There is not enough funding to have law enforcement attending to that refuge to protect the birds from human intrusion and the nesting failed. Increased funding would go a long way in providing these birds the protection they need during the nesting season.

These are just a few of the things impacting the Tampa Bay Refuges. Bottom line, funding cuts hurt the wildlife that the NWRs is mandated to protect. The refuge system has a very small budget compared to the whole Federal budget. It is not a big impact to the Federal budget to give the refuges a little more funding whereas the impact of reduced funding is devastating.

Please consider funding \$508.2 million for the fiscal year 2016 Operations and Management budget.

Friends of the Tampa Bay National Wildlife Refuges (FTBNWR) was incorporated as a 501c3 in 2008 to better assist the Tampa Bay Refuges with volunteers and fundraising. In 2014 FTBNWR was able to provide over 2300 volunteer hours to assist the refuge staff with exotic invasive control, refuge cleanups, and education. Volunteers donated time as bird stewards and visitor center docents on Egmont Key NWR as well as running youth education programs for grades K-5. Our refuges do not have enough staff to provide these education programs so Friends volunteers have filled that gap. FTBNWR has been able to raise money to fund further removal of invasive plants on the Pinellas Refuges that degrade the habitat for the wildlife and contributed funding for the local storage of the FWS boat. Our volunteers are passionate about the refuge system and donate their time, money, and expertise to protect them.

We again extend our appreciation to the subcommittee for its ongoing commitment to our NWRs.

[This statement was submitted by Barbara Howard, *President*.]

PREPARED STATEMENT OF THE FRIENDS OF THE WHITE RIVER NATIONAL WILDLIFE REFUGE INC.

Mr. Chairman and members of the subcommittee:

On behalf of the Friends of White River National Wildlife Refuge Inc., (St. Charles, Arkansas) its members, our 15,000 plus Facebook fans and refuge users let me say thanks for the opportunity to provide input into the appropriations process.

Adequately funding our Nation's wildlife refuges isn't just about protecting natural areas and wildlife habitat. It is about protecting the economy, the communities and people whose livelihood depends on them. As a native of southeast Arkansas

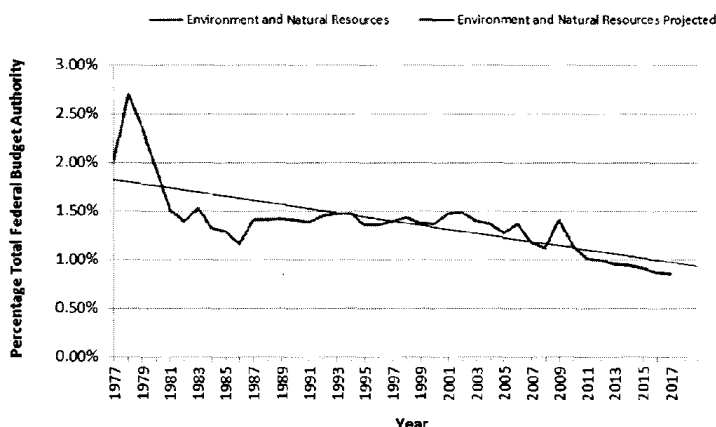
I grew up hunting and fishing on White River National Wildlife Refuge (NWR). I have witnessed first hand the direct benefits to our rural communities from the large influx of hunters, fisherman and other outdoor tourist the refuge brings in each season.

Our refuge has the proud distinction of protecting one of the largest remaining contiguous tracts of bottomland forest in the Mississippi River Valley. Each year 450,000 resident and nonresident hunters, fisherman, wildlife watchers, nature photographers and tourists visit and pump more than \$11.2 million in expenditures into our economically distressed Delta communities.

A 2013 report from Southwick Associates shows us that economic activity from outdoor recreation generates \$788.0 billion in revenue and generates \$197.4 billion in Federal, State and local tax revenue. That's a larger part of our U.S. economy than pharmaceutical, or motor vehicles.<sup>1</sup> Solid evidence that supporting our Nation's parks, refuges and increasing outdoor recreation opportunities is not just good for the environment, and a health boon to people, but is also a critical piece of the American economy. Twelve million Americans have jobs thanks to outdoor recreational opportunities like hunting and fishing within our National wildlife refuges.<sup>2</sup>

While the outdoor recreational industry has demonstrated its ability to pay its own way . . . budgets supporting conservation continue to shrink. Conservation funding has shrunk from 2.75 percent in 1977 to less than 1 percent of the Federal budget today.

**Environment and Natural Resources Budget Authority as a Percentage of Total Federal Budget Authority**



The benefits of funding our refuge system are well documented and we should support them accordingly. Therefore we fully support the budget recommendations put forth by the National Wildlife Refuge Association:

- \$508.2 million for operations and maintenance in fiscal year 2016.
- Appropriate \$173.8 million in fiscal year 2016 from the Land and Water Conservation Fund (LWCF) to acquire conservation easements and to purchase in-holdings and vital habitat for the National Wildlife Refuge System and reauthorize LWCF at \$900 million annually.

Thank you for the opportunity to present this testimony to the subcommittee. And thank you for your leadership and support for conservation. As you deliberate appropriate funding levels for our refuge system, please consider the important implications these choices entail to not only the wildlife and the environment, but also the joy of use by its citizens as well as the economic benefits the refuges bring to mostly rural communities.

[This statement was submitted by Jim L. Taylor.]

<sup>1</sup>Burke, Monte. Forbes Magazine: Why We Need More Not Less Conservation Funding in the Federal Budget.

<sup>2</sup>The Economic Contributions of Outdoor Recreation: Technical Report on Methods and Findings/For: Outdoor Industry Association/By: Southwick Associates August 30, 2012 (Rev. January 3, 2013).

## PREPARED STATEMENT OF THE GEOLOGICAL SOCIETY OF AMERICA

## SUMMARY

The Geological Society of America (GSA) urges Congress to support the fiscal year 2016 request for the U.S. Geological Survey (USGS). As one of our Nation's key science agencies, the USGS plays a vital role in understanding and documenting mineral and energy resources that underpin economic growth; researching and monitoring potential natural hazards that threaten U.S. and international security; and determining and assessing water quality and availability. Approximately two-thirds of the USGS budget is allocated for research and development. In addition to underpinning the science activities and decisions of the Department of the Interior, this research is used by communities across the Nation to make informed decisions in land use planning, emergency response, natural resource management, engineering, and education. Despite the critical role played by the USGS, funding for the Survey has stagnated in real dollars for more than a decade. The requested level would permit the USGS to add to its functions in these important areas. Given the importance of the many activities of the Survey that protect lives and property, stimulate innovations that fuel the economy, provide national security, and enhance the quality of life, GSA believes that growth in Federal funding for the Survey is necessary for the future of our Nation.

The Geological Society of America, founded in 1888, is a scientific society with over 26,000 members from academia, government, and industry in all 50 States and more than 100 countries. Through its meetings, publications, and programs, GSA enhances the professional growth of its members and promotes the geosciences in the service of humankind.

## U.S. GEOLOGICAL SURVEY CONTRIBUTIONS TO NATIONAL SECURITY, HEALTH, AND WELFARE

The USGS is one of the Nation's premier science agencies. Approximately two-thirds of the USGS budget is allocated for research and development. In addition to underpinning the science activities and decisions of the Department of the Interior, this research is used by communities across the Nation to make informed decisions in land use planning, emergency response, natural resource management, engineering, and education. USGS research addresses many of society's greatest challenges for national security, health, and welfare. Several are highlighted below.

- Natural hazards—including earthquakes, tsunamis, volcanic eruptions, wildfires, and landslides—are a major cause of fatalities and economic losses. Recent natural disasters, including destructive landslides in Washington, Colorado, and Kentucky; earthquakes in California; and lava flows in Hawaii, provide unmistakable evidence that the United States remains vulnerable to staggering losses. Landslides alone, which occur in every State, cause more than \$1 billion in damage each year. An improved scientific understanding of geologic hazards will reduce future losses through better forecasts of their occurrence, which allows for effective planning and mitigation in these areas. GSA urges Congress to support efforts for USGS to modernize and upgrade its natural hazards monitoring and warning systems to protect communities from the devastating personal and economic effects of natural disasters, including additional 3-D elevation mapping and earthquake early warning systems.
- A 2013 report by the National Research Council, *Emerging Workforce Trends in the Energy and Mining Industries: A Call to Action*, found, "Energy and mineral resources are essential for the Nation's fundamental functions, its economy, and its security." In addition, many emerging energy technologies—such as wind turbines and solar cells—depend upon rare earth elements and critical minerals that currently lack diversified sources of supply. China accounts for 95 percent of world production of rare earth elements (USGS, 2010). Nevertheless, Federal programs in minerals science, research, information, data collection and analysis have been severely weakened. Funding for the USGS Mineral Resources Program, the only primary source for minerals science and information, has been cut by 30 percent in constant dollar terms over the last decade, reducing its ability to provide critical information on mineral potential, production, and consumption that is used for decisionmaking across the Federal Government and by a range of businesses and industries. We support the increase proposed for these important programs that will allow for more economic and environmental management and utilization of minerals. In addition, GSA supports increases in research to better understand domestic sources of energy, including conventional and unconventional oil and gas and renewables.

- The ongoing drought in the western United States is a testament to our dependence on water. The availability and quality of surface water and groundwater are vital to the well being of both society and ecosystems. Greater scientific understanding of these resources through monitoring and research by the USGS is necessary to ensure adequate and safe water resources for the health and welfare of society.
- USGS research on climate impacts is used by the Department of the Interior and local policymakers and resource managers to make sound decisions based on the best possible science. The Climate Science Centers, for example, provide scientific information necessary to anticipate, monitor, and adapt to climate change's effects at regional and local levels, allowing communities to make smart, cost-effective decisions.
- The Landsat satellites have amassed the largest archive of remotely sensed land data in the world, a tremendously important resource for natural resource exploration, land use planning, and assessing water resources, the impacts of natural disasters, and global agriculture production. GSA supports interagency efforts for future support of Landsat.

The Core System Sciences, Facilities, and Science Support programs support many activities in these important areas. These programs and services, such as geologic mapping and data preservation, provide critical information, data, and infrastructure that make possible the research that will stimulate innovations that fuel the economy, provide security, and enhance the quality of life.

Research in Earth science is fundamental to training and educating the next generation of Earth science professionals. The United States faces a looming shortage of qualified workers in these areas that are critical for national security. We are very concerned that cuts in earth science funding will cause students and young professionals to leave the field, potentially leading to a lost generation of professionals in areas that are already facing worker shortages. Investments in these areas could lead to job growth, as demand for these professionals now and in the future is assessed to be high.

The report *Emerging Workforce Trends in the Energy and Mining Industries: A Call to Action*, found, "In mining (nonfuel and coal) a personnel crisis for professionals and workers is pending and it already exists for faculty." Another recent study, *Status of the Geoscience Workforce 2011*, by the American Geosciences Institute found: "The supply of newly trained geoscientists falls short of geoscience workforce demand and replacement needs. . . . aggregate job projections are expected to increase by 35 percent between 2008 and 2018. . . . The majority of geoscientists in the workforce are within 15 years of retirement age. By 2030, the unmet demand for geoscientists in the petroleum industry will be approximately 13,000 workers for the conservative demand industry estimate."

Thank you for the opportunity to provide testimony about the U.S. Geological Survey. For additional information or to learn more about the Geological Society of America—including GSA Position Statements on water resources, mineral and energy resources, natural hazards, and public investment in Earth science research.

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PREPARED STATEMENT OF THE GREAT LAKES INDIAN FISH AND WILDLIFE  
COMMISSION (GLIFWC)

1. Department of Interior, Bureau of Indian Affairs, Operation Of Indian Programs
  - a. Trust-Natural Resources Management, Rights Protection Implementation (RPI)—At least the administration's proposed \$40,138,000 and a proportionate share for Great Lakes Area Resource Management (the overall need for which is at least \$10,688,000).
  - b. Trust-Natural Resources Management, Tribal Management/Development Program (TM/DP): At least the administration's proposed \$14,263,000 and the TM/DP requests of GLIFWC's member tribes.
  - c. Trust-Natural Resources Management, Tribal Climate Resilience: At least the administration's proposed \$30,355,000.
  - d. Trust-Natural Resources Management, Invasive Species: At least the administration's proposed \$6,769,000.
  - e. Tribal Government, Contract Support: At least the administration's proposed \$272,000,000.

*Funding Authorizations.*—Snyder Act, 25 U.S.C. § 13; Indian Self-Determination and Education Assistance Act, (Public Law 93–638), 25 U.S.C. §§ 450f and 450h; and the treaties between the United States and GLIFWC’s member Ojibwe Tribes.<sup>1</sup>

2. Environmental Protection Agency

- a. Environmental Programs and Management, Geographic Programs, Great Lakes Restoration: At least the administration’s proposed \$250,000,000 out of which there is an overall tribal need of at least \$25,000,000. GLIFWC’s Need: \$1,200,000.
- b. State and Tribal Assistance Grants, Categorical Grants, Tribal General Assistance Program: At least the administration’s proposed \$96,375,000.

*Funding Authorizations.*—Clean Water Act, 33 U.S.C. § 1268(c); and treaties cited above.

GLIFWC’S FISCAL YEAR 2016 FUNDING REQUEST HIGHLIGHTS

1. GLIFWC would be pleased to accept an allocation of appropriated RPI funding that is in the same proportion to overall RPI funding as has been regularly provided in previous years when funding for the RPI line item was increased. This amount for Great Lakes Area Resource Management would be approximately \$7,153,000, based on the administration’s fiscal year 2016 proposal for the RPI line item.
2. A total tribal set-aside of \$25,000,000 and GLIFWC’s request of \$1,200,000 under the Great Lakes Restoration Initiative to be distributed through the Indian Self-Determination and Education Assistance (ISDEA) Act.
3. Full funding for Contract Support Costs, as required by the ISDEA Act.
4. Sufficient funding in the Tribal Management and Development line item for GLIFWC’s member tribes to fulfill their needs for reservation-based natural resource programs.

GLIFWC’S GOAL—A SECURE FUNDING BASE TO FULFILL TREATY PURPOSES

For more than 30 years, Congress has funded GLIFWC to implement comprehensive conservation, natural resource protection, and law enforcement programs that: (1) ensure member tribes are able to implement their treaty reserved rights to hunt, fish, and gather throughout the ceded territories; (2) ensure a healthy and sustainable natural resource base to support those rights; and (3) promote healthy, safe communities. These programs also provide a wide range of public benefits, and facilitate participation in management partnerships in Wisconsin, Michigan, and Minnesota.

<sup>1</sup>Specifically, the Treaty of 1836, 7 Stat. 491, Treaty of 1837, 7 Stat. 536, Treaty of 1842, 7 Stat. 591, and Treaty of 1854, 10 Stat. 1109. The rights guaranteed by these treaties have been affirmed by various court decisions, including a 1999 U.S. Supreme Court case.



GLIFWC'S PROGRAMS—PROMOTING HEALTHY COMMUNITIES AND EDUCATING TRIBAL MEMBERS THROUGH TREATY RIGHTS EXERCISE

Established in 1984, GLIFWC is a natural resources management agency of 11 member Ojibwe Tribes with resource management responsibilities over their ceded territory (off-reservation) hunting, fishing and gathering treaty rights. These ceded territories extend over a 60,000 square mile area in Minnesota, Wisconsin, and Michigan.<sup>2</sup> GLIFWC employs 75 full-time staff, including natural resource scientists, technicians, conservation enforcement officers, policy specialists, and public information specialists.

GLIFWC strives to implement its programs in a holistic, integrated manner that is consistent with the culture and values of its member tribes, especially in light of the tribal lifeway that the exercise of treaty rights supports. This means not only ensuring that tribal members can legally exercise their rights, but supporting community efforts to educate them about the benefits (physical, spiritual, and cultural) of harvesting and consuming a more traditional diet, as well as promoting intergenerational learning and the transmission of traditional cultural and management practices. These programs, in turn, promote healthy, strong communities.

GLIFWC and its member tribes thank Congress, and particularly this subcommittee, for its continuing support of these treaty obligations and its recognition of the ongoing success of these programs. There are two main elements of this fiscal year 2016 funding request:

1. *BIA Great Lakes Area Management (Within the RPI Line Item).*—A proportionate share of the \$40,138,000 proposed by the administration for the RPI line item. The administration's proposed increase for RPI in fiscal year 2016 is greatly appreciated as well as greatly needed. The demand for GLIFWC's services continues to increase, as does the need to address the impacts of climate change on natural resources and the tribal communities those resources support.

GLIFWC has testified about the fact that the need is consistently greater than RPI funding, and the impacts that underfunding has on treaty rights programs. Increased funding in fiscal year 2015 allowed GLIFWC to restore some cuts it made to its programs due to previous unmet needs. The increase proposed in fiscal year 2016 will continue that trend and allow GLIFWC to better understand the physical,

<sup>2</sup> GLIFWC's programs do not duplicate those of the Chippewa-Ottawa Resource Authority or the 1854 Treaty Authority. GLIFWC also coordinates with its member tribes with respect to tribal treaty fishing that extends beyond reservation boundaries by virtue of the Treaty of 1854 and the reservations' locations on Lake Superior.



chemical and biological changes occurring in ceded territory ecosystems, and develop and implement adaptive management strategies to address those changes.

Tribes can only protect the resources that support their rights if they undertake relevant scientific and technical analyses that inform the design and implementation of adaptive natural resource management activities. To this end, maximum flexibility should be provided to GLIFWC and its tribes to define for themselves the science and research activities best suited to the needs of their member tribes and the particular issues within their region. GLIFWC would gladly accept funds in proportion to overall RPI funding, as provided in fiscal year 2015.

2. *EPA Environmental Programs and Management.*—\$250,000,000. GLIFWC: \$1,200,000. GLIFWC supports continued funding for the Great Lakes Restoration Initiative (GLRI) as an important non-regulatory program that enhances and ensures coordinated governance in the Great Lakes, as well as substantive natural resource protection and restoration projects. GLIFWC supports funding of no less than \$250 million, but recognizes that this amount does not fulfill all of the protection and restoration needs that have been identified. GLIFWC also recommends that at least \$25 million be provided to the BIA for tribes, to ensure that they: (i) are able to hire and support staff that provide the requisite capacity to participate in intergovernmental protection and restoration initiatives, and (ii) can undertake projects that contribute to the protection and restoration of the Great Lakes. At a minimum, current funding for tribal “capacity” must be maintained, and the amount of GLRI funding that has been provided to the BIA for projects must be restored to its historic proportion—over the past 5 years, that amount has been cut by 40 percent, while overall GLRI funding has remained steady.

Sustained funding for GLIFWC at approximately \$1.2 million will enable GLIFWC to augment its current natural resource protection and enhancement activities. It will also allow GLIFWC to maintain its participation in interjurisdictional governance structures, including the implementation of the revised Great Lakes Water Quality Agreement (GLWQA). With GLRI funding, GLIFWC has been able to help create a team to seek out and use Traditional Ecological Knowledge in the implementation of commitments made in the Science Annex of the GLWQA. Without GLIFWC’s participation, this team would likely not have been created and the cultural perspectives retained by generations of Anishinaabe residing in the Great Lakes would not be shared with those working to protect Great Lakes ecosystems.

Tribal GLRI funding should be provided through the BIA and distributed under the ISDEA Act. This funding mechanism delivers funding to the field faster and has resulted in the earlier achievement of on-the-ground results. It also fulfills the Federal Government’s long-standing policy of fostering tribal self-determination in the implementation of tribal programs.

#### RESULTS AND BENEFITS OF GLIFWC’S PROGRAMS

1. *Maintain the Requisite Capability To Meet Legal Obligations, To Conserve Natural Resources and To Regulate Treaty Harvests.*—While more funding would increase program comprehensiveness, sustained funding at the fiscal year 2016 level supports tribal compliance with various court decrees and intergovernmental agreements that govern the tribes’ treaty-reserved hunting, fishing and gathering rights. Funding for science and research enhances GLIFWC’s capability to undertake work and participate in relevant partnerships to address ecosystem threats that harm treaty natural resources.

2. *Remain a Trusted Management and Law Enforcement Partner, and Scientific Contributor in the Great Lakes Region.*—GLIFWC has become a respected and integral part of management and law enforcement partnerships that conserve natural resources and protect public safety. It brings a tribal perspective to interjurisdictional Great Lakes management fora and would use its scientific expertise to study issues and geographic areas that are important to its member tribes but that others may not be examining.

3. *Maintain the Overall Public Benefits That Derive From Its Programs.*—Over the years, GLIFWC has become a recognized and valued partner in natural resource management. Because of its institutional experience and staff expertise, GLIFWC has built and maintained numerous partnerships that: (i) provide accurate information and data to counter social misconceptions about tribal treaty harvests and the status of ceded territory natural resources; (ii) maximize each partner’s financial resources and avoid duplication of effort and costs; (iii) engender cooperation rather than competition; and (iv) undertake projects that achieve public benefits that no one partner could accomplish alone.

4. *Encourage and Contribute to Healthy Tribal Communities.*—GLIFWC works with its member tribes' communities to promote the benefits of treaty rights exercise. These include the health benefits associated with a more traditional diet and the intergenerational learning that takes place when elders teach youth. In addition, GLIFWC sponsors a camp each summer where tribal youth build leadership skills, strengthen connections to the outdoors, and learn about treaty rights and careers in natural resource fields.

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PREPARED STATEMENT OF THE HEALING OUR WATERS-GREAT LAKES COALITION

Dear Chairman Murkowski and Ranking Member Udall:

On behalf of the Healing Our Waters-Great Lakes Coalition, we write to ask that you to support funding for Great Lakes restoration priorities in fiscal year 2016. The Great Lakes region has received much-needed support, and we are seeing on-the-ground results in Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania and Wisconsin.

First, we ask you to support \$300 million for the Great Lakes Restoration Initiative. Restoration efforts are improving the lives of millions of people and work is underway on over 2,000 restoration projects throughout the region that will restore the Great Lakes and address the most urgent problems facing them. These projects are cleaning up drinking water flowing to millions of homes and thousands of industries and improving infrastructure important for future economic growth in the eight-State region. These projects are delivering results, including:

- Two Areas of Concern—Deer Lake, Michigan and White Lake, Michigan—were delisted last year. The Presque Isle, Pennsylvania Area of Concern was delisted in 2013. The management actions necessary for delisting Waukegan Harbor, Illinois, Sheboygan Harbor, Wisconsin, and the Ashtabula River, Ohio, have also been completed. The GLRI has accelerated the cleanup of toxic hotspots by delisting three formerly contaminated sites—in the previous two decades before the Great Lakes Restoration Initiative, only one site had been delisted.
- Between 2010 and 2014, 52 beneficial use impairments (BUIs) at 13 AOCs were removed in Illinois, Indiana, Michigan, New York, Pennsylvania, and Wisconsin, more than tripling the total number of BUIs removed in the preceding 22 years. More BUIs have been removed since the GLRI began than between 1987 and 2009.
- From 2004 to 2009, the Great Lakes region was the only area in the country to show a gain in wetland acreage. Now the GLRI is building on that foundation with a goal to restore one million acres in the basin. So far, the FWS, NPS, NRCS, and NOAA (among others) have restored, protected, or enhanced over 115,000 acres of wetlands and other habitat.
- 3,400 river-miles were cleared of over 250 barriers resulting in fish swimming into stretches of river where they have been absent for decades.
- Based on U.S. Fish and Wildlife Service monitoring, GLRI-sponsored actions are increasing self-sustaining populations of 13 non-endangered and non-threatened native species important to the Great Lakes. For example, efforts in the Saginaw River watershed have contributed to the now self-sustaining walleye population in Saginaw Bay, Michigan.

Second, the GLRI does not address aging sewers that discharge billions of gallons of sewage into the Great Lakes, closing beaches, threatening public health, and damaging local economies. Communities depend on the Clean Water State Revolving Fund (SRF) for low-interest loans to implement costly wastewater infrastructure projects that seek to stop overflows from happening. Based on a fixed formula, maintaining level funding for the Clean Water SRF will provide approximately \$500 million for the eight Great Lakes States in 2015. We request that you maintain current funding (\$1.45 billion) for this important Great Lakes restoration program.

Investments in Great Lakes restoration create short-term jobs and lead to long-term economic benefits for the Great Lakes States and the country. A Brookings Institution report shows that every \$1 invested in Great Lakes restoration generates \$2 in return, making Great Lakes restoration one of the best investments for the Federal dollar in the budget. More recent research from Grand Valley State University suggests that the return for certain projects may be closer to 6-to-1. The University of Michigan has also demonstrated that over 1.5 million jobs are dependent on clean and healthy Great Lakes, accounting for more than \$60 billion in wages annually. We have also seen jobs being created by our Nation's efforts to clean up the Great Lakes and restore fish and wildlife habitat. These jobs include wetland scientists, electricians, engineers, landscape architects, plumbers, truck drivers and many others.

However, there is still much work that needs to be done. Aging sewers, invasive species, and toxic pollutants are just a few of the pervasive threats that impact the region, endangering human and wildlife health, lowering property values, and hurting the region's economy. Cutting funding will slow restoration efforts, allowing problems to get worse and making them more expensive to solve. Ultimately, cutting spending on the Great Lakes won't save money—it will cost the Nation more. As the source of drinking water for 30 million people, the Nation cannot afford to not protect and restore the Great Lakes.

Progress is being made. Now is not the time to scale back our Nation's commitment to restore the Great Lakes environment and economy. If we wait and allow restoration efforts to slow, these serious problems will only get worse and the price we pay will be much higher. For the economy and the environment, please make sure that the fiscal year 2016 budget provides at least \$300 million for the GLRI, SRF funding is maintained, and that all agency Great Lakes restoration base budgets are preserved.

Sincerely,

Joel Brammeier, President & CEO, Alliance for the Great Lakes; Gary Belan, Senior Director, Clean Water Supply Program, American Rivers; Erin Crotty, Executive Director, Audubon New York; Loren H. Smith, Executive Director, Buffalo Audubon Society; Jill Jedlicka, Executive Director & Riverkeeper, Buffalo Niagara Riverkeeper; Mary Smith, Communications Coordinator, Church Women United in New York State; Brian Smith, Associate Executive Director, Citizens Campaign for the Environment; Deanna White, State Director, Clean Water Action of Minnesota; Mark Redsten, CEO, Clean Wisconsin; Anne M. Vaara, Executive Director, Clinton River Watershed Council; Deb Yandala, CEO, The Conservancy for Cuyahoga Valley National Park; and Jean Pogge, CEO, Delta Institute.

Suzanne Moynihan, Director, The EDGE; Ally Fields, Clean Water Advocate, Environment America; Chuck Godfrey, President, Erie County Federation of Sportsmen's Clubs; Jill Ryan, Executive Director, Freshwater Future; Kerry Kelly, Chairman of Board, Friends of Sleeping Bear Dunes National Lakeshore; Matt Meersman, President, Friends of the St. Joe River Association; Mike Strigel, Executive Director, Gathering Waters: Wisconsin's Alliance for Land Trusts; June Summers, President, Genesee Valley Audubon Society; Jonathan Jarosz, Executive Director, Heart of the Lakes Center for Land Conservation Policy; Sr. Rose Therese Nolte, SSsP, Justice and Peace Coordinator, Holy Spirit Missionary Sisters, USA, JPIC; Laura Rubin, Executive Director, Huron River Watershed Council; and Darwin Adams, Chairman, Illinois Council of Trout Unlimited.

Mike Leahy, Conservation Director, Izaak Walton League of America; John Stegmeier, Conservation Chair, Dwight Lydell Chapter of the Izaak Walton League of America; Ivan J. Hack, Jr., President, Headwaters Chapter IWL; Tim Russell, Division President, Indiana Division Izaak Walton League; Robert Stegmier, National Director, Michigan, Izaak Walton League of America; Les Monostory, President, New York State Division, Izaak Walton League of America; Jim Sweeney, President, Porter County Chapter of the Izaak Walton League of America; Michelle Parker, Vice President, Great Lakes and Sustainability, Daniel P. Haerther Center for Conservation and Research, John G. Shedd Aquarium; Alan J. Weener, President, Kalamazoo River Sturgeon for Tomorrow; Tom Fuhrman, President, Lake Erie Region Conservancy; and Sandy Bihn, Executive Director, Lake Erie Waterkeeper Inc.

Gordon Morlan, Environmental Chairman, League of Women Voters Grosse Pointe; Betsy Lawson, Senior Lobbyist, League of Women Voters of the United States; Nic Clark, Director, Michigan Clean Water Action; Daniel Eichinger, Executive Director, Michigan United Conservation Clubs; John J. Ropp, President/CEO, Michigan Wildlife Conservancy; Cheryl Nenn, Riverkeeper, Milwaukee Riverkeeper; Scott Strand, Executive Director, Minnesota Center for Environmental Advocacy; Gary Botzek, Executive Director, Minnesota Conservation Federation; Steve Morse, Executive Director, Minnesota Environmental Partnership; Lynn McClure, Senior Midwest Director, National Parks Conservation Association; Karen Hobbs, Senior Policy Analyst, Natural Resources Defense Council; Mike Shriberg, Regional

Executive Director, Great Lakes, National Wildlife Federation; and Melinda Hughes-Wert, President, Nature Abounds.

Marc Hudon, Chair, Water Commission, Nature Quebec; Vincent Agnello, Executive Secretary, Niagara Watershed Alliance; Dennis West, President, Northern Initiatives; Dan Plath, President, Northwest Indiana Paddling Association; Michael Ryan, President, Northwest Indiana Steelheaders; Ron Urban, Chairman, NYS Council Trout Unlimited; Kristy Meyer, Managing Director, Agricultural, Health & Clean Water Programs, Ohio Environmental Council; Ray Stewart, President, Ohio Wetlands Association; Kris Patterson, Executive Director, Partners for Clean Streams; David Masur, Director, PennEnvironment; Irene Senn, Coordinator, Religious Coalition for the Great Lakes; and Denny Caneff, Executive Director, River Alliance of Wisconsin.

Nicole Silk, President, River Network; Nicole Barker, Executive Director, Save the Dunes; Lee Willbanks, Upper St. Lawrence Riverkeeper, Executive Director, Save The River; Robin Schachat, President, Shaker Lakes Garden Club; Melissa Damaschke, Great Lakes Program Director, Sierra Club; Karen Donahue, Sisters of Mercy West Midwest Community, Justice Team; Sister Phyllis Tierney, Coordinator, SSJ Justice & Peace Ministry, Sisters of St. Joseph of Rochester; Rafael Rosa, Regional Vice President, Student Conservation Association; Jennifer McKay, Policy Specialist, Tip of the Mitt Watershed Council; Carol A. Stepien, Director of the Lake Erie Center, University of Toledo; Christine Crissman, Executive Director, The Watershed Center Grand Traverse Bay; Antoinette Grote, President, Western NY Trout Unlimited, Chapter #068; Ellen Satterlee, President and Executive Director, The Wege Foundation; Rich Cochran, President and CEO, Western Reserve Land Conservancy; Kerry Schumann, Executive Director, Wisconsin League of Conservation Voters; and Tracy Hames, Executive Director, Wisconsin Wetlands Association.

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PREPARED STATEMENT OF THE HUMANE SOCIETY OF THE UNITED STATES (HSUS),  
HUMANE SOCIETY LEGISLATIVE FUND (HSLF), AND DORIS DAY ANIMAL LEAGUE

Thank you for the opportunity to offer testimony to the Interior, Environment, and Related Agencies Subcommittee on items of importance to our organizations. We urge the subcommittee to address these priority issues in the fiscal year 2016 Department of Interior appropriation.

ROCK CREEK PARK DEER

We request that funds made available in this Act give preference to non-lethal deer management programs over lethal techniques at Rock Creek Park. The National Park Service (NPS) has been using lethal methods for controlling the deer population in Rock Creek Park despite the availability of non-lethal methods that in the long run will use significantly less taxpayer money and result in a more effective long-term solution to human-wildlife conflicts in the park and its environs. In the future, we ask that priority be given to humane, non-lethal methods with respect to decisions regarding funding deer management programs.

ENVIRONMENTAL PROTECTION AGENCY

Thousands of chemicals are currently used and hundreds of new ones are introduced each year for which toxicity assessments need to be conducted. To answer this need, EPA established the National Center for Computational Toxicity to predict hazard and prioritize chemicals for further screening and testing, developing and using high-throughput assays and predictive tools which are less expensive and time consuming and more predictive of relevant biological pathways.

Through EPA's CompTox program, EPA has screened more than 2,000 chemicals (industrial, food additives, and consumer products) and evaluated them in more than 700 high-throughput assays. Additionally, EPA is using ToxCast data to prioritize chemicals for evaluation in the Endocrine Disruptor Screening Program. Tox21, a collaboration between EPA, NIEHS, NCATS and the FDA is currently screening 10,000 chemicals to improve the effectiveness of drug development.

However, even as the need increases for this data, the program's budget has stagnated. An increase of \$12,366 million to the NCCT budget is essential to achieving

the goals presented in the CompTox program and assure a more predictable and relevant chemicals safety assessment.

#### MULTINATIONAL SPECIES CONSERVATION FUND

The administration's fiscal year 2016 budget requests \$11.1 million for the Multinational Species Conservation Fund (MSCF) program which funds African and Asian elephants, rhinos, tigers, great apes like chimps and gorillas, and sea turtles. The HSUS joins a broad coalition of organizations in support of the administration's request while ensuring that the sales from the semi-postal stamps benefiting this program remain supplementary to annually appropriated levels. We also support the fiscal year 2016 budget justification request from the USFWS Office of International Affairs of approximately \$14.7 million but request that at least \$13 million of these funds be allocated to the Wildlife Without Borders and International Wildlife Trade programs.

While we wholeheartedly support continued funding for the MSCF, we are concerned about past incidents and oppose any future use of funds from these conservation programs to promote trophy hunting, trade in animal parts, and other consumptive uses—including live capture for trade, captive breeding, and entertainment for public display industry—under the guise of conservation for these animals. Grants made to projects under the MSCF must be consistent with the spirit of the law.

#### BUREAU OF LAND MANAGEMENT—WILD HORSE AND BURRO PROGRAM

The Humane Society of the United States (The HSUS) is one of the leading advocates for the protection and welfare of wild horses and burros in the U.S. with a long history of working collaboratively with the Bureau of Land Management (BLM)—the agency mandated to protect America's wild horses and burros—on the development of effective and humane management techniques.

The HSUS strongly supports a significant reduction in the number of wild horses and burros gathered and removed from our rangelands annually. We believe removing horses from the range without implementing any active program for suppressing the population growth rate has proven itself to be an unsustainable method of management of our Nation's wild horses, and simply leads to a continual cycle of round-ups and removals when more long-term, cost-efficient and humane management strategies, such as fertility control, are readily available.

For years, the BLM has removed far more wild horses and burros from the range than it could possibly expect to adopt annually, and as a consequence, the costs associated with caring for these animals off the range have continued to skyrocket. The annual costs associated with caring for one wild horse in a long term holding facility is approximately \$500, and the average lifespan of a wild horse in captivity is 30 years. Today, there are more than 50,000 wild horses and burros in these pens, and the agency spends more than 50 percent of its annual Wild Horse and Burro budget on holding costs. The BLM must balance the number of animals removed from the range annually with the number of animals it can expect to adopt in a given year if it hopes to effectively reduce off-the-range management costs.

Further, the BLM's current program of management of wild horses has negative effects that go beyond a simple cost-benefit analysis. For instance, the recommendations in the National Academy of Sciences 2013 report "Using Science to Improve the BLM Wild Horse and Burro Program: A Way Forward," commissioned by the BLM itself, stated that it is BLM's own practices of managing wild horses "below food-limited carrying capacity" by rounding up and removing a significant proportion of the herd's population every 3 to 4 years that is facilitating high horse population growth rates on the range.

As such, it is incumbent that the BLM move away from current management practices to create a long-term, humane and financially sustainable path. It is our belief that the most cost-effective and humane approach is for the BLM to move aggressively forward with a contraceptive program which prioritizes on-the-range management of wild horses and burros. This path forward is supported by the National Academy of Sciences report, which called for an increased usage of on-the-range management tools, including the usage of the fertility control vaccine PZP. Further, a 2008 paper determined that contraception on-the-range could reduce total wild horse and burro management costs by 14 percent, saving \$6.1 million per year. Finally, the results of a paper describing an economic model commissioned by The HSUS indicates that by treating wild horses on one hypothetical Herd Management Area (HMA) with the fertility control vaccine Porcine Zona Pellucida (PZP), the BLM could save approximately \$5 million dollars over 12 years while achieving and maintaining Appropriate Management Levels (AML) of 874 horses. Since the

BLM estimates that more than 40,000 wild horses roam on 179 HMAs in the U.S., the use of PZP could result in a cost-savings of tens of millions of dollars if applied broadly across all HMAs.

For these reasons, while we support the BLM's request for a 2.8 million dollar budget increase to fund additional research on contraception and population growth suppression methods, we request that the agency be required to immediately begin usage of the NAS-recommended fertility control methods that are currently available.

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#### PREPARED STATEMENT OF THE INDEPENDENT REVIEW TEAM

Thank you for the opportunity to testify today and to address the serious funding needs that have limited and continue to hinder the operations of tribal judicial systems in Indian Country. I am the Lead Judge representing the Independent Tribal Court Review Team. The Indian Tribal Justice Act was enacted in 1993 which authorized \$58.4 million per year for 7 years for tribal courts base funding. For more than two decades Congress has reauthorized the Act but funds have never been appropriated. In 2015 nothing has changed because the lack of funds to implement both the Tribal Law and Order Act (TLOA) and the Violence Against Women Act (VAWA) have not been appropriated. Without funding to support these measures the intent and goals of Congress will never be achieved and tribal communities, tribal citizens and tribal women will never be safe. Tribal courts remain underfunded and the result is negatively impacting law enforcement operations which also was not the intent or goal when these bills were enacted. It is the strong recommendation of the Independent Tribal Courts Review Team that the Federal tribal courts budget be substantially increased in fiscal year 2016 to support the needs of tribal judicial systems.

#### BUDGET PRIORITIES, REQUESTS AND RECOMMENDATIONS

1. +\$82 million/year (fiscal year 2015 equivalent to \$58.4 million authorized under the Indian Tribal Justice Act of 1993, Public Law 103-176, 25 U.S.C. 3601 and re-authorized in year 2000 Public Law 106-559 no funds have been appropriated to date).
2. +\$15 million increase for tribal courts above the fiscal year 2010 enacted level.
3. Support the requests and recommendations of the National Congress of American.

The increase will support:

1. Hiring and training of court personnel.
2. Compliance with the Tribal Law and Order Act of 2010.
3. Compliance/implementation of the VAWA Act of 2013.
4. Salary increases for existing judges and court personnel.
5. State-of-the-art technology for tribal courts.
6. Security and security systems to protect court records and privacy of case information.
7. Tribal court code development.
8. Financial code development.

The Independent Court Review Team supports the proposed \$5.0 million increase in the fiscal year 2016 President's budget for tribal courts. The fight against crime and drugs has led to more arrests which is increasing the caseload in the tribal court system. Provisions in both the Tribal Law and Order Act (TLOA) and the Violence Against Women Act (VAWA) will have a significant impact on tribal courts. Both requires that attorneys be provided to represent non-Indian defendants to further strain the capacity of the tribal judicial systems which is underfunded, understaffed and ill-equipped to function effectively and in a manner comparable to non-Indian government judicial systems. Tribal courts are at a critical stage in terms of need.

#### BACKGROUND

The Bureau of Indian Affairs (BIA) within the Department of the Interior provides funding to tribal governments to supplement their justice systems including courts. Tribal courts play a "vital role" in tribal Self-Determination and Self-Governance as cited in long-standing Federal policy and Acts of Congress. Funding levels from BIA to support tribal justice systems have not met the Federal obligations and needs.

There is a great deal of variation in the types of tribal courts and how they apply laws. Some tribal courts resemble Western-style courts in that written laws and

court procedures are applied. Others use traditional Native means of resolving disputes, such as peacemaking, elders' councils, and sentencing circles. Some tribes have both types of courts. The Bureau of Indian Affairs (BIA) also manages seven Code of Federal Regulations (CFR) courts.

Since 1999, the Bureau of Justice Assistance in the Department of Justice has administered the Tribal Courts Assistance Program, designed to provide funds for tribes to plan, operate, and enhance tribal judicial systems. They have made attempts to evaluate tribal courts but discovered their means of doing so was insensitive to American Indian and Alaska Native (AI/AN) people and unrealistic in the absence of elements that were key to Indian Country, such as: (1) the importance of tribal culture and traditions; (2) the inability to apply State and local criminal justice initiatives to tribal settings; (3) the lack of cooperation from non-tribal entities; and, (4) the lack of available data on tribal justice.

The Independent Court Review Team has had more hands on success in reviewing tribal court systems. For approximately 7 years, we have travelled throughout Indian Country assessing how tribal courts are operating. During this time, we completed 84 court reviews. We also completed 28 Corrective Actions. There is no one with more hands-on experience and knowledge regarding the current status of tribal courts than our review team.

#### JUSTIFICATION FOR REQUEST

1. *Hiring and Training of Court Personnel.*—Tribal courts make do with underpaid staff, under-experienced staff and minimal training. (We have determined that hiring tribal members limits the inclination of staff to move away; a poor excuse to underpay staff.)

2. *Compliance with the Tribal Law & Order Act of 2010.*—To provide judges, prosecutors, public defenders, who are attorneys and who are bared to do "enhanced sentencing" in tribal courts.

3. *Compliance/implementation of the 2013 VAWA Act.*—To provide tribal courts with the ability to provide non-Indians with all the rights under the U.S. Constitution in domestic violence actions in tribal courts (12 person juries, provide attorneys for non-Indians, provide attorneys in court personnel in domestic violence cases as in TLOA, etc.)

4. *Salary Increases for Existing Judges and Court Personnel.*—Salaries should be comparable to local and State court personnel to keep pace with the non-tribal judicial systems and be competitive to maintain existing personnel.

5. *Tribal Courts Need State-of-the-Art Technology.*—(Software, computers, phone systems, tape recording machines). Many Tribes cannot afford to purchase or upgrade existing court equipment unless they get a grant. This is accompanied by training expenses and licensing fees which do not last after the grant ends.

6. *Security and Security Systems to Protect Court Records and Privacy of Case Information.*—Most tribal courts do not even have a full time bailiff, much less a state-of-the-art security system that uses locked doors and camera surveillance. This is a tragedy waiting to happen.

7. *Tribal Court Code Development.*—Tribes cannot afford legal consultation. A small number of tribes hire on-site staff attorneys. These staff attorneys generally become enmeshed in economic development and code development does not take priority. Tribes make do with under-developed codes. The Adam Walsh Act created a hardship for tribes who were forced to develop codes, without funding, or have the State assume jurisdiction. (States have never properly overseen law enforcement in a tribal jurisdiction.)

8. *Financial Code Development.*—We have rarely seen tribes with developed financial policies. The process of paying a bond, for example, varies greatly from tribe to tribe. The usual process of who collects it, where it is collected and how much it is, is never consistent among tribes.

#### ABOUT TRIBAL COURTS

There are many positive aspects about tribal courts. It is clear that tribal courts and justice systems are vital and important to the communities where they are located. Tribes value and want to be proud of their court systems. Tribes with even modest resources tend to allocate funding to courts before other costs. After decades of existence, many tribal courts, despite minimal funding, have achieved a level of experience and sophistication approaching, and in some cases surpassing, local non-Indian courts.

Tribal courts, through the Indian Child Welfare Act, have mostly stopped the wholesale removal of Indian children from their families. Indian and non-Indian courts have developed formal and informal agreements regarding jurisdiction. Tribal

governments have recognized the benefit of having law-trained judges, without doing away with judges who have cultural/traditional experience. Tribal court systems have appellate courts, jury trials, well-cared-for courthouses (even the poorer tribes), and tribal bar listings and fees. Perhaps most importantly, Tribes recognize the benefit of an independent judiciary and have taken steps to insulate courts and judges from political pressure. No longer in Indian country are judges automatically fired for decisions against the legislature.

Nationwide, there are 185 tribes with courts that received \$23.28 million in Federal funding in 2015. The Review Team's Assessments have indicated that the Bureau of Indian Affairs only funds tribal courts at 26 percent of the funding needed to operate. Now BIA faces the challenges in the new provisions of TLOA and VAWA with no appropriations. On the flip side, tribes who cannot afford to assist in the financial operations of the court are tasked with doing the best they can with what they have even at the expense of decreasing or eliminating services elsewhere. This while operating at a disadvantage with already overstrained resources and underserved needs of the tribal citizens. The assessment suggests that the smaller courts are both the busiest and most underfunded.

The grant funding in the DOJ is intended to be temporary, but instead it is used for permanent needs; such as funding a Drug Court Clerk who then is used as a Court Clerk with Drug Court duties. When the funding runs out, so does the permanent position. We have witnessed many failed Drug Courts, failed court management software projects (due to training costs) and incomplete code development projects. When the justice funding runs out, so does the project.

As a directive from the Office of Management and Budget in fiscal year 2005, our reviews specifically examined how tribes were using Federal funding. In the seven fiscal years through September of fiscal year 2011 there were only two isolated incidents of a questionable expenditure of Federal funds. It has been speculated that because of our limited resources, we compromise a person's due process and invoke "speedy trials" violations to save tribal courts money. Everyone who is processed through the tribal judicial system is afforded their Constitutional civil liberties and civil rights.

We do not wish to leave an entirely negative impression about tribal courts. Tribal courts need an immediate, sustained and increased level of funding. True. However, there are strong indications that the courts will put such funding to good use.

Tribal courts have other serious needs. Tribal appellate court judges are mostly attorneys who dedicate their services for modest fees that barely cover costs for copying and transcription fees. Tribal courts do offer jury trials. In many courts, one sustained jury trial will deplete the available budget. The only place to minimize expenses is to fire staff. Many tribal courts have defense advocates. These advocates are generally not law trained and do a good job protecting an individual's rights (including assuring speedy trial limitations are not violated.) However, this is a large item in court budgets and if the defense advocate, or prosecutor, should leave, the replacement process is slow.

This Congress and this administration can do something great. Put your money where your promises have been and support the Acts you have passed. Thank You.

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#### PREPARED STATEMENT OF THE INSTITUTE OF MAKERS OF EXPLOSIVES (IME)

##### INTEREST OF IME

IME is a nonprofit association founded in 1913 to provide accurate information and comprehensive recommendations concerning the safety and security of commercial explosive materials. Our mission is to promote safety and the protection of employees, users, the public and the environment, and to encourage the adoption of uniform rules and regulations in the manufacture, transportation, storage, handling, use and disposal of explosive materials used in blasting and other essential operations.

IME represents U.S. manufacturers and distributors of commercial explosive materials and oxidizers as well as other companies that provide related services. Millions of metric tons of high explosives, blasting agents, and oxidizers are consumed annually in the United States. Of this, IME member companies produce over 98 percent of the high explosives and a great majority of the blasting agents and oxidizers.

Commercial explosives are pervasively regulated by a myriad of Federal and State agencies. Explosives manufacturing, storage and transportation facilities comply with Environmental Protection Agency ("EPA") regulations implementing various Federal environmental statutes such as the Clean Air Act ("CAA"), including the Risk Management Program ("RMP"), and the Emergency Planning and Community



Right To Know Act (“EPCRA”). EPA participates in the Chemical Facility Safety and Security Working Group, or Interagency Working Group (“IWG”), which is engaged in satisfying the requirements of Executive Order (“EO”) 13650, *Improving Chemical Facility Safety and Security*. The IWG’s June 6, 2014 status report, *Actions to Improve Chemical Facility Safety and Security—A Shared Commitment*, includes actions that have the potential to significantly impact the commercial explosives industry.

We offer the following comments on the need to provide EPA sufficient funds to address and improve chemical facility safety, and the concurrent need to ensure that the agency’s actions complement the regulatory requirements of other Federal agencies while avoiding unnecessary regulation and/or redundancy within and between agency programs.

#### FISCAL YEAR 2016 ACTIVITIES AND PERFORMANCE PLAN—RMP AND EPCRA

The administration’s fiscal year 2016 budget request includes funds that would allow EPA to identify and focus its enforcement efforts on significant vulnerabilities at the Nation’s chemical facilities. The request would also be aimed at enhancing oversight, inspections and enforcement at high-risk facilities subject to the RMP. Activities would include, among other things, RMP and EPCRA compliance inspections; national coordination for chemical accident prevention and emergency response planning program policy, inspections, compliance and enforcement; program oversight, monitoring, and support for the Computer-Aided Management of Emergency Operations (“CAMEO”) system; training for inspectors; and communication/cooperation with State and local governments to provide outreach and training on RMP and EPCRA.

IME supports the agency’s efforts to expand and enhance its current training, inspection and enforcement programs. In particular, EPA should be provided with sufficient resources to ensure that it has an adequately trained cadre of inspectors and is capable, at least, of inspecting all facilities designated by the agency as “high risk.” According to EPA, the number of facilities is currently 1,900. We expect, however, that this number may grow as the agency identifies and scrutinizes additional facilities through its improved coordination with the Department of Homeland Security and its other IWG partners. The subcommittee should take this into consideration as it examines the budget request.

Enhanced communication and coordination with State and local governments and organizations is critical if EPA is to identify high risk and other “outlier” facilities that are operating in violation of current regulatory requirements. As part of this effort, the IWG envisions improvements in the Local Emergency Planning Committee (“LEPC”) program established under EPCRA. Although EPA administers the program, it does not control the distribution of funds to LEPCs. Rather, incongruously, the LEPC program is funded through the issuance of Hazardous Materials Emergency Program (“HMEP”) grants administered by the Department of Transportation’s Pipeline and Hazardous Materials Safety Administration (“PHMSA”), as authorized by the Hazardous Materials Transportation Act.

This bifurcated administrative and funding arrangement is awkward at best. In addition, PHMSA’s management of the HMEP grant program is ineffective and is, in large part, responsible for the failure of the LEPC program in many areas of the country.<sup>1</sup> If the LEPC program is to be improved, a necessary first step would be to place the funding of the program under the control of the agency that is actually responsible for overseeing and administering it. The need to support LEPCs is highlighted in the IWG status report as essential to community engagement in properly planning for public safety and the safeguarding of property and the environment in the event of a chemical emergency. The LEPC system, if it is to be made workable, must be administered wholly by EPA in both its financial and programmatic elements. We ask the subcommittee to support EPA’s request for funds to support this program.<sup>2</sup>

#### FISCAL YEAR 2016 ACTIVITIES AND PERFORMANCE PLAN—EO 13650

The administration’s fiscal year 2016 budget request also includes funding for EPA’s activities in support of EO 13650. As part of its effort to implement the requirements of the EO, EPA published a Request for Information (“RFI”) on the RMP in 2014. Among other things, EPA inquired whether explosives and/or ammonium

<sup>1</sup> PHMSA’s Inadequate Management and Oversight of Hazardous Materials Emergency Preparedness Grants Limited the Program’s Effectiveness, DOT-OIG, AV-2012-040, January 12, 2012.

<sup>2</sup> Fiscal Year 2016 USEPA Budget Justification, EPA-190-R-15-001 (Feb. 2015), at p. 360.

nitrate (“AN”) should be included on an expanded RMP list of substances. We do not believe that any resources appropriated to support the RMP program should be used to fund an expansion of the program to include explosives or AN.

#### *Explosives*

As we stated in our comments on the RFI, an expansion of the RMP to include explosives would unnecessarily duplicate extant Federal regulatory programs including EPA’s EPCRA program, the Occupational Safety and Health Administration (“OSHA”) Process Safety Management Standard (“PSM”) and Explosives and Blasting Agents Standard, and quantity/distance requirements administered by the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”). This existing suite of controls already delivers the three key protections provided by the RMP, i.e.; (i) emergency response planning and communication (EPCRA), (ii) accident prevention (PSM), and (iii) protection against offsite consequences (ATF).

In short, there is no need for EPA to expend valuable resources reexamining the exclusion of explosives from the RMP. As noted, existing regulations administered by a variety of agencies, including EPA, already sufficiently cover the ground that RMP is intended to safeguard. Coverage under OSHA’s PSM and Explosives and Blasting Agents Standards provide accident prevention at the same level that would be provided by the RMP. Compliance with PSM, EPCRA, and ATF rules furnish local responders with the information necessary to respond to an emergency. ATF and OSHA regulations incorporating the American Table of Distances (i.e., quantity/distance requirements) ensure that the effects of an accidental explosion would be confined to facility property, thus obviating the need for RMP rules aimed at estimating and responding to offsite consequences. Moreover, independent industry efforts to guarantee safety through the use of IMESA FR, a widely accepted quantitative risk assessment program developed by IME, and industry best practices and standards published in IME’s Safety Library Publications and guidance documents operate as additional safeguards of worker and public safety. No further regulation is necessary.

#### *Ammonium Nitrate*

EPA’s RFI also inquires whether there are safety gaps in current regulations covering AN that could be addressed under the RMP. We believe that no gaps exist and that the agency’s resources would be better spent in addressing problematic but improvable areas such as the LEPC program and coordination between Federal agency programs.

As we also noted in our response to the RFI, we believe that existing regulatory requirements, with recommended enhancements, are adequate to safely regulate the management of AN. AN can present a hazard if managed or stored improperly, but it does not warrant inclusion in a complex regulatory program like the RMP. The proper management of AN is not only straightforward, but, done correctly, effectively eliminates any potential hazard. AN is not a volatile or self-reactive chemical requiring constant diligence in its handling. The proper management of AN is simple, well understood, and easily accomplished. IME’s *Safety and Security Guidelines for Ammonium Nitrate*<sup>3</sup> describe appropriate management parameters: AN must be stored in non-combustible bins or storage buildings, isolated from potential contaminants, and protected from substantial and sustained heat sources (e.g., fire) and shock. Where these uncomplicated tenets are followed, the reactive hazard associated with AN is negligible if not nonexistent.<sup>4</sup>

IME would oppose any appropriation that could be used to expand the RMP to include AN (whether on its own or as a “reactive chemical”). Existing OSHA rules at 29 CFR 1910.109(i) are adequate to ensure the safe storage and handling of this material and the inclusion of AN in the RMP would do nothing to enhance the safety of workers or the public.<sup>5</sup> IME recommends that specific language be included in appropriations legislation prohibiting the expansion of the RMP to include AN.

#### TOXIC SUBSTANCES CONTROL ACT (“TSCA”)

In EPA’s Congressional Justification the agency has indicated that it plans to submit legislative language that would allow it to assess fees to manage chemical manufacturers’ requests that the agency protect designated information as confidential

<sup>3</sup> *IME Safety and Security Guidelines for Ammonium Nitrate* (2013).

<sup>4</sup> This can be substantiated through quantitative risk assessment.

<sup>5</sup> IME has recommended, however, that 29 CFR 1910.109(i) be updated consistent with our Guidelines. IME is also a member of the National Fire Protection Association (“NFPA”) 400 Committee and has made similar recommendations as part of the ongoing review of NFPA 400, Chapter 11, Ammonium Nitrate.

business information (“CBI”).<sup>6</sup> The legislative language would establish a revolving fund in the U.S. Treasury known as the TSCA CBI Management Fund that would be used by the agency to manage CBI claims, support its specialized CBI communications and database, and fund physical security and CBI reviews.

IME does not support this request. Chemical manufacturers, including the commercial explosives industry, expend hundreds of millions of dollars in researching and developing unique and innovative products that help fuel the U.S. economy. Manufacturers should not, in addition, have to pay fees to the Federal Government in order to safeguard the confidentiality of their own work product.

#### CONCLUSION

IME supports EPA’s request for funding to support improvements in chemical facility safety and local and regional emergency preparedness planning. We oppose, however, any effort to expand the RMP to include explosives or AN, and we oppose the imposition of fees to safeguard CBI under TSCA.

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#### PREPARED STATEMENT OF THE INTERSTATE MINING COMPACT COMMISSION

My name is John Stefanko and I serve as Deputy Secretary of the Office of Active and Abandoned Mine Operations within the Pennsylvania Department of Environmental Protection. I appreciate the opportunity to present this statement to the subcommittee regarding the views of the Interstate Mining Compact Commission’s 26 member States on the fiscal year 2016 budget request for the Office of Surface Mining Reclamation and Enforcement (OSM) within the U.S. Department of the Interior. In its proposed budget, OSM is requesting \$63.5 million to fund title V grants to States for the implementation of their regulatory programs, a reduction of \$5.1 million or 7.4 percent below the fiscal year 2015 enacted level. OSM also proposes to reduce mandatory spending for the abandoned mine lands (AML) program by \$24.4 million pursuant to a legislative proposal to eliminate all AML funding for certified States and tribes.

The Compact is comprised of 26 States that together produce some 95 percent of the Nation’s coal, as well as important noncoal minerals. The Compact’s purposes are to advance the protection and restoration of land, water and other resources affected by mining through the encouragement of programs in each of the party States that will achieve comparable results in protecting, conserving and improving the usefulness of natural resources and to assist in achieving and maintaining an efficient, productive and economically viable mining industry.

OSM has projected an amount of \$63.5 million for title V grants to States in fiscal year 2016, an amount which is matched by the States. These grants support the implementation of State regulatory programs under the Surface Mining Control and Reclamation Act (SMCRA) and as such are essential to the full and effective operation of those programs. Pursuant to these primacy programs, the States have the most direct and critical responsibilities for conducting regulatory operations to minimize the impact of coal extraction operations on people and the environment. The States accomplish this through a combination of permitting, inspection and enforcement duties, designating lands as unsuitable for mining operations, and ensuring that timely reclamation occurs after mining.

In fiscal year 2015, Congress approved \$68.6 million for State and tribal title V grants pursuant to the Omnibus Appropriations bill.<sup>1</sup> This continued a much-needed trend whereby the amount appropriated for these regulatory grants aligned with the demonstrated needs of the States. The States are greatly encouraged by the amount approved by Congress for title V grant funding over the past several fiscal years. These grants had been stagnant for over 12 years and the gap between the States’ requests and what they received was widening. This debilitating trend was compounding the problems caused by inflation and uncontrollable costs, thus undermining our efforts to realize needed program improvements and enhancements and jeopardizing our efforts to minimize the potential adverse impacts of coal extraction operations on people and the environment.

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<sup>6</sup>Fiscal Year 2016 USEPA Budget Justification, EPA-190-R-15-001 (Feb. 2015), at p. 1014-15.

<sup>1</sup>In approving this amount for State grant funding in fiscal year 2015, Congress noted that: “The Committees find the budget proposal to reduce regulatory grants would undermine the State-based regulatory system. It is imperative that States continue to operate protective regulatory programs as delegation of authority to the States is the cornerstone of the surface mining regulatory program.”

In recent budget requests, OSM displayed a pattern of proposing woefully inadequate funding for State title V regulatory programs. Congress consistently rejected the proposed reductions and funded the programs at amounts that more closely aligned with the States' projected needs. OSM's fiscal year 2016 budget proposal reflects a better understanding of the importance of adequately funding State regulatory programs and thus represents a welcome departure from previous years.

While the States are appreciative of OSM's apparent change of direction, the amounts proposed will still inhibit the States' ability to operate at the optimal level. The title V grant amount proposed by OSM is \$5.1 million less than the 2015 enacted level. As a rationale for the reductions, OSM asserts that any shortfalls in fiscal year 2016 can be covered by the carryover from previous fiscal years. While the States understand OSM's position, we believe this plan to be shortsighted in that it fails to consider the improving fiscal conditions in many States and the damaging precedent set by appropriating suboptimal grant amounts. Furthermore, there is no guarantee that these carryover funds will be available into the future or that they would not be reprogrammed for other purposes.

It should be kept in mind that, given fiscal constraints on State budgets from the downturn in the economy, some States have only recently been able to move beyond hiring and salary freezes and restrictions on equipment and vehicle purchases, all of which have inhibited the States' ability to spend all of their Federal grant money in years past. With many States now recovering enough to utilize their full grant amount, it is imperative that funding be maintained at the current level of \$68.6 million. Any supplemental increases for tribal primacy programs would need to be in addition to that amount.

Clear indications from Congress that reliable, consistent funding will continue into the future has done much to stimulate support for these programs by State legislatures and budget officers who, in the face of difficult fiscal climates and constraints, have had to deal with the challenge of matching Federal grant dollars with State funds. Recall that any cut in Federal funding generally translates to an additional cut of an equal amount for overall program funding for many States, especially those without Federal lands, since these States can generally only match what they receive in Federal money.

At the same time that OSM is proposing cuts for State programs, the agency is proposing sizeable increases for its own program operations (almost \$4 million), including an increase of 12 full time employees. In making the case for its funding increase, OSM's budget justification document contains vague references to the need "to improve the implementation of existing laws." More specifically, OSM states in its budget justification document that "with greater technical skills, OSM anticipates improved evaluation of permit-related actions and resolution of issues to prevent unanticipated situations that otherwise may occur as operations progress, thereby improving implementation of existing laws" (pg. 58). In our view, this is code language for enhanced and expanded Federal oversight of State programs and reflects a move by OSM to exert a more direct role in State programs, especially regarding permitting decisions, thereby weakening State primacy. Without more to justify the need for additional oversight and the concomitant increase in funding for Federal operations related thereto, Congress should reject this request.

The overall performance of the States as detailed in OSM's annual State program evaluation reports demonstrates that the States are implementing their programs effectively and in accordance with the purposes and objectives of SMCRA.<sup>2</sup> In our view, this suggests that OSM is adequately accomplishing its statutory oversight obligations with current Federal program funding and that any increased workloads are likely to fall upon the States, which have primary responsibility for implementing appropriate adjustments to their programs identified during Federal oversight.

To the extent that OSM seeks to enhance State primacy, we would support a renewed focus on processing State program amendments. Additionally, if OSM is looking for ways to improve and enhance the overall implementation of SMCRA at both the State and Federal level, we would urge the agency to move forward with the findings and recommendations of the Government Efficiency Work Groups that spent considerable time and effort throughout 2014 to, among other things, address the continuing fiscal impacts on program implementation and develop workable solutions. While OSM mentions the work of this State/Federal initiative in its Budget Justification document (pg. 10), there has been little movement to follow up on this excellent work since the submission of the Work Group reports last July.

<sup>2</sup>The Congress agreed with this assessment when it commented as follows on OSM's proposed increase in fiscal year 2015: "The [Omnibus Appropriations] agreement does not provide funds to expand and enhance Federal oversight activities of State programs."

For all the above reasons, we urge Congress to approve not less than \$68.6 million for State and tribal title V regulatory grants, the same amount enacted by Congress over the past few fiscal years. In doing so, Congress will continue its commitment to ensuring the States have the resources they need to continue their work on the forefront of environmental protection and preservation of public health and safety.

With regard to funding for State title IV Abandoned Mine Land (AML) program grants, congressional action in 2006 to reauthorize title IV of SMCRA has significantly changed the method by which State reclamation grants are funded. These grants are still based on receipts from a fee on coal production, but beginning in fiscal year 2008, the grants are funded primarily by mandatory appropriations. As a result, the States and tribes should receive \$209 million in fiscal year 2016. In its fiscal year 2016 proposed budget, the Office of Surface Mining (OSM) is requesting \$385 million for State and tribal AML grants, an increase of \$176 million. OSM's budget also includes five legislative proposals, the first of which would eliminate funding to States and tribes that have "certified" completion of their highest priority abandoned coal reclamation sites (a reduction of \$24.4 million in fiscal year 2016); the second of which would return the AML reclamation fee paid by coal operators to pre-2006 levels; the third of which would establish a hardrock AML fee and accompanying program; the fourth of which would provide enhanced payouts to the United Mine Workers Retirement Funds, and the fifth of which would accelerate the distribution of grant funds for a portion of the remaining unappropriated balance in the AML Trust Fund to "facilitate sustainable revitalization" in addition to clean-up and redevelopment of eligible lands and waters (an additional \$200 million in fiscal year 2016).

With regard to this latter proposal, while the States are supportive of the spirit of the proposal and have in fact designed many projects around these types of purposes using local contractors whenever the opportunities and partnerships exist, we cannot support a programmatic change of this magnitude without a better understanding of the specifics of how it will be implemented. The success of such an endeavor, as well as the States' support for it, is highly dependent on robust consultation between OSM and State AML Program Managers. At this juncture, the States are concerned that the proposal could have negative ramifications for the overall remediation of AML hazards and thus public health and safety. Depending on how the proposal is implemented, the addition of "economic eligibility factors" to existing site selection criteria could potentially divert some amount of funding away from the highest priority AML sites. Please keep in mind that the \$1 billion of AML Fund money which would be repurposed by the proposal is already slated for dispersal to the States under the allocation system and site prioritization method ordained by Congress in the 2006 amendments to SMCRA.

With regard to the proposal contained in OSM's budget to establish a hardrock AML program, the States are well aware of the need to address historic hardrock AML problem areas, beginning with the inclusion of section 409 of SMCRA in 1977. There is clearly a need to establish both the funding mechanism and the administrative program to address these legacy sites, be it through a fee or through a meaningful Good Samaritan program that provides liability protection for those undertaking this type of work. We believe that OSM is in the best position to administer a hardrock AML program, given its 35 years of experience in operating the title IV program under SMCRA. Our only concern is that, while on the one hand OSM is advocating for the establishment of a hardrock AML program, it is also pushing for the elimination of funding for certified States and tribes to accomplish this very work.

OSM's budget proposal also includes a legislative proposal which would require a massive transfer of \$363.4 million from the Treasury to various components of the UMWA Health and Retirement Funds. The States recognize the importance of this issue and are supportive of efforts to ensure the long-term solvency of the UMWA Pension Funds. However, the States believe that this issue should be pursued as part of a more comprehensive reauthorization package given the overall implications for the AML program. Furthermore, the States are concerned that this significant dispersal of Treasury funds could impact the application of the \$490 million cap on transfers from the Treasury vis-à-vis mandatory Treasury payments to the States for AML work.

We appreciate the opportunity to submit this statement on the Office of Surface Mining's proposed budget for fiscal year 2016. We also endorse the statement of the National Association of Abandoned Mine Land Programs (NAAML), which goes into greater detail regarding the implications of OSM's funding and legislative proposals for the States and tribes. We would be happy to answer any questions.

## PREPARED STATEMENT OF THE INTERTRIBAL TIMBER COUNCIL

## SUMMARY

Mr. Chairman, members of the subcommittee, I am Phil Rigdon, President of the Intertribal Timber Council (ITC) and Deputy Director of Natural Resources for the Yakama Nation. The ITC submits the following recommendations for fiscal year 2016 Indian forestry-related activities in the Bureau of Indian Affairs (BIA), the Department of Interior (DOI) Office of Wildland Fire Management (OWF), and the U.S.D.A. Forest Service (USFS):

*Bureau of Indian Affairs*

- (1) Increase BIA Forestry by \$25 million, to \$76.9 million, as a first step to providing the \$100 million needed for funding parity with other Federal forestry programs, as recommended by the IFMAT III report. Require tribal participation in allocation of this increase.
- (2) Separately, increase BIA Forestry Projects by \$12.7 million to initiate a BIA Forestry Workforce Development program, as recommended by IFMAT III.
- (3) Support BIA's Tribal Climate Resilience program request of \$30.355 million.
- (4) Increase the BIA Endangered Species funding to \$10 million.

*Interior Office of Wildland Fire Management*

- (5) Support the Preparedness request of \$323.7 million, with transparency for tribal Contract Support Costs (CSCs).
- (6) Increase Fuels Management funding to \$206 million; allow RTRL funds on tribal lands.
- (7) Support the Disaster Fire Funding legislative proposal.
- (8) Support the \$30 million Resilient Landscapes initiative.

*U.S.D.A. Forest Service*

- (9) Encourage expanded support for the ITC Anchor Forest initiative.
- (10) Encourage the USFS to improve implementation of the Tribal Forest Protection Act.

## IFMAT III

Many of our comments and recommendations reflect the third IFMAT report, the statutorily required (Public Law 101-630, Sec. 312) decadal review and report on tribal forests and forestry conducted by an independent Indian Forest Management Assessment Team (IFMAT). The IFMAT III report (in two volumes plus an executive summary) was completed in and dated 2013, and was printed and distributed the spring of 2014, including a copy to the subcommittee.

The IFMAT III report examines tribal forests using a "FIT" framework: Fire, Investment and Transformation: "Fire" for the large role wildland fire and other threats present to tribal forest health and productivity; "Investment" for the Federal funding and trust support needed for meeting the Federal trust and ensuring a sustainable future for Indian forests; and "Transformation" for the role of Indian forestry as a model for sustainable land management.

IFMAT III examines eight specific review areas required by the statute, including staffing and funding, and looks at additional issues including Indian forest benefits, climate change, and the Anchor Forests initiative and implementation of the Tribal Forest Protection Act.

IFMAT III found that chronically insufficient funding and worsening staff shortages are threatening tribal forests and communities from foregone economic opportunities, inadequate management, and resource losses due to wildland fire, insects, disease, and climate change. Federal trust management funding of Indian forests is still only one third of that for National Forests; an additional \$100 million in base funding is needed to bring Indian forestry and wildfire management to parity. Staffing shortfalls are jeopardizing the capacity to care for forest resources: 800 additional positions are needed for adequate staffing and \$12.7 million is needed annually for staff recruitment, training and retention.

Against this background, the ITC makes the following comments and requests for fiscal year 2016.

*Bureau of Indian Affairs*

- (1) Increase BIA Forestry by \$25 million, to \$76.9 million, as a first step to providing the \$100 million needed for funding parity with other Federal forestry programs, as recommended by IFMAT III. Require tribal participation in allocation of this increase.

Within the total 56 million Indian acres in Federal trust, 18.6 million acres are forested, of which 7.3 million acres are designated as commercial forest capable of supporting an annual allowable cut (AAC) of 723 million board feet per year. We request that the fiscal year 2016 BIA Forestry budget be increased by \$25 million, to \$76.9 million, to begin to reduce the glaring \$100 million funding disparity with other Federal forestry programs as discussed in the IFMAT III report. The ITC also asks the subcommittee to require tribal participation in the allocation of these additional funds to help assure appropriate allocation among various BIA Forestry and Wildland Fire programs.

BIA Forestry's chronic underfunding contributes to the failure to harvest the full AAC, with serious repercussions for tribal economies and the health of the trust corpus. The AAC reflects tribal policy decisions on balancing multiple use considerations involving economy, ecology, and cultural values. The difference between the AAC and the actual harvest level funded and overseen by the BIA is a key metric that can be used to help measure the degree to which the U.S. is fulfilling its fiduciary duties for managing the Indian trust forests. In fiscal year 2014, the 437 million board feet of timber harvested from Indian forests generated \$62 million in stumpage income and supported over 22,000 jobs (tribal and non-tribal communities combined), but these benefits were 40 percent below the levels that would have been received had the full AAC been harvested. The failure to harvest the full AAC in fiscal year 2014 reduced stumpage revenue by over \$41 million and represented a loss of over 15,000 jobs (tribal and non-tribal combined). Since IFMAT I was issued in 1991, the failure to harvest the full AAC has resulted in the loss of \$727 million in stumpage income and 272,000 jobs in Indian Country.

The chronic underfunding of Indian trust forests also impacts and potentially jeopardizes non-timber forest products, with an estimated national annual value of \$10 million, and places these forests and all their benefits at risk of catastrophic loss from wildfire, climate change, insects, disease, trespass, and invasive species. A \$25 million funding increase is an essential first step toward providing Indian trust forests with funding equal to that provided other Federal forests, improving tribal economies, sustaining the health and productivity of the trust forests, and avoiding the prospects of future trust mismanagement lawsuits.

- (2) Separately, increase BIA Forestry Projects by \$12.7 million to initiate a BIA Forestry Workforce Development program, as recommended by IFMAT III.

BIA and tribal Forestry are facing a staffing crisis. The IFMAT III report states 800 additional BIA Forestry positions are needed, and an increasing number of existing positions are unfilled due to retirements and funding shortfalls. Trained personnel are essential for the sustainable trust management of our forests, including timber for tribal economies and healthy forests for tribal communities. As an example, on my reservation—the Yakama Nation—33 of the 55 BIA Forestry positions have not been filled for a long time, despite repeated tribal pleas. Harvest targets sought by the tribe are not being met, forest health is suffering, and economic opportunities are being lost. Nationally, to begin to address this large and growing personnel shortage and its negative consequences on the Federal trust and tribal economies, \$12.7 million is needed to start a program to attract, train and retain forestry staff.

- (3) Support BIA's Tribal Climate Resilience program request of \$30.355 million.

ITC supports the BIA \$30.355 million request for the Tribal Climate Resilience program. This provides a useful amount needed for evaluating climate change on our homelands, and to plan and conduct actual on-the-ground projects to begin addressing its consequences. America's 566 Indian tribes are a segment of the population most closely tied to and reliant upon our lands, which are our history, our culture, our livelihoods, and our future. We appreciate and support this request to help protect our homes from the impacts of climate change.

- (4) Increase BIA Endangered Species funding to \$10 million.

ITC requests BIA ESA be funded at \$10 million so the myriad listed species throughout Indian Country nationwide can be better addressed. BIA's \$3.7 million

request for ESA is an improvement over past years, but the proposal is less than the ESA per-acre funding for BLM and still only slightly above the \$3 million appropriated for BIA ESA in fiscal year 2002. A further significant increase in BIA ESA to \$10 million is fully warranted.

*Department of the Interior Wildland Fire Management*

- (5) Support the Preparedness request of \$323.7 million, with transparency for tribal CSCs.

Within this requested amount, ITC supports designations for tribal contract support costs (CSCs) and for BIA and tribal fire workforce development. However, we ask that the Department be directed to dialogue transparently with tribes on the allocation of these designated funds, particularly CSCs, which are being siphoned off by the administering agency, leaving only a fraction of the designated amount to help tribes cover the costs of contracting preparedness functions on the ground.

- (6) Increase Fuels Management funding to \$206 million; allow RTRL funds on tribal lands.

For fiscal year 2016, ITC again urges Fuels Management funding at its fiscal year 2010 \$206 million level. The Department's fuels reduction backlog remains huge, funding has never come close to need, and prevention is more cost effective than suppression. Within the fiscal year 2016 Fuels Management appropriation, ITC strongly supports the designation of \$10 million for Reserved Treaty Rights Lands (RTRL) landscape restoration, to allow tribes to engage in proactive fuels and forest health projects to protect tribal trust assets on treaty lands. However, we ask that these funds be allowed on tribal lands, and not just off-reservation. The ITC also wishes to note again our appreciation of OWF for its efforts to engage tribes in its policy and funding considerations.

- (7) Support the Disaster Fire Funding legislative proposal.

ITC supports the legislative proposal to address extreme fire suppression costs (above 70 percent of the 10 year average) as the natural disasters that they are, reducing the adverse impacts of these large costs on both DOI's operations and budgets.

- (8) Support the \$30 million Resilient Landscape initiative.

With this initiative, fuels and health projects can be more broadly and cooperatively applied across landscapes and beyond the wildland-urban interface (WUI).

*U.S.D.A. Forest Service*

- (9) Encourage expanded support for the ITC Anchor Forest initiative.

We ask that you support, and encourage continued Forest Service support of, the ITC's Anchor Forest initiative. The initiative, in which tribes play a key role, works across forest landscape boundaries and diverse stakeholders to foster long-term collaboration to maintain ecological functions and sustain economically viable infrastructure for management, harvesting, transportation, and processing of forest products. Currently, the ITC is engaged in a pilot project involving three Anchor Forest study areas in Washington and Idaho (involving Yakama, Colville, and the Spokane and Coeur d'Alene Tribes), with participation and support from USFS, BIA, Washington State, the conservation community, and local forestland owners and businesses that are affected by forest health and productivity. Tribes in the Lakes States, the Plains States, Alaska, and the Southwest are beginning to express interest in the Anchor Forest concept, so we ask the subcommittee to encourage continued and expanded USFS support of the initiative.

- (10) Encourage the USFS to improve implementation of the Tribal Forest Protection Act.

Finally, we ask the subcommittee to encourage DoAg and DOI to make wider use of Tribal Forest Protection Act (TFPA, Public Law 108-278) agreements, in which tribes are authorized to conduct address fuels and health projects on adjacent Federal forests to help address threats like fire, disease and insect infestations. The USFS has been very slow in implementing the TFPA, but some progress is being made: this spring, the USFS and ITC are conducting regional workshops for USFS and other Federal personnel, tribes, and other interested parties to learn about TFPA and to actually start forging TFPA agreements. But there is still a dearth



of active or new TFPA projects, and we urge the subcommittee to actively support and urge increased TFPA projects.

#### INTERTRIBAL TIMBER COUNCIL BACKGROUND

The ITC is a 39 year old association of forest owning tribes and Alaska Native organizations that collectively manage more than 90 percent of the 18.6 million acres of BIA trust timberland and woodland that provide thousands of jobs and significant economic activity in and around Indian Country. In addition, our forests store and filter the water and air, sustain habitats, and produce foods, medicines, fuel, and materials for shelter, transportation, and artistic expression. We invite you to come visit.

That concludes my statement. Thank you.

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#### PREPARED STATEMENT OF THE JAMESTOWN S'KLALLAM TRIBE

On behalf of the Jamestown S'Klallam Tribe, I am pleased to submit this written testimony on our funding priorities and requests for the fiscal year 2016 Bureau of Indian Affairs (BIA) and Indian Health Service (IHS) budgets. Funding for Indian country is appropriated in the non-defense discretionary portion of the Federal budget. We, therefore, renew our request that Congress work together to achieve a balanced approach to the budget deficit that includes raising new revenue sources and that doesn't rely solely on cuts to discretionary spending.

We strongly support the administration's fiscal year 2016 budget proposal as it reflects an improved commitment on behalf of the Federal Government to uphold treaty and trust obligations with an investment in Indian programs that includes a 12 percent increase for the BIA over the fiscal year 2015 enacted level, a 9 percent increase for the IHS, and mandatory funding for contract support costs. These proposed increases are extremely important to tribes because we rely on this funding to support our core governmental programs and critical services that promote the safety and well-being of our tribal citizens and Indian community. We also advocate for the expansion of Self-Governance so that tribes can continue to have the flexibility to redesign programs and services throughout the Federal Government to better address their community needs.

In addition to the items detailed below, our tribe would like to reiterate that we are a direct beneficiary of the collective and continuing efforts of the National Congress of American Indians, the Affiliated Tribes of Northwest Indians, the Northwest Portland Area Indian Health Board, and the Northwest Indian Fisheries Commission.

#### TRIBAL SPECIFIC BUDGET PRIORITIES—Indian Health Service and Bureau of Indian Affairs:

1. \$737,000—Five Quarter Funding to Move the Jamestown Self-Governance Funding Agreements from Fiscal Year to Calendar Year

#### REGIONAL BUDGET PRIORITY—Bureau of Indian Affairs:

2. Increase Rights Protection Implementation to \$52 million

#### NATIONAL BUDGET PRIORITIES:

3. Exempt Tribes from Sequestration and Rescissions and Restore 2013 Sequestration Cuts
4. Full Funding/Mandatory Funding for CSC which is included in President's Fiscal Year 2016 Budget Request

#### INDIAN HEALTH SERVICE:

5. Increased Funding for Purchased and Referred Care to \$198.2 million
6. Maintain Current Services \$166.1 million
7. Special Diabetes Program for Indians \$200 million a year for 5 years

#### BUREAU OF INDIAN AFFAIRS:

8. Economic Development: \$15 million Loan Guarantee/\$9 million Surety Bonds
9. Support for Tribal Governments Fixed Costs/Paycosts
10. Roads Maintenance \$40 million

TRIBAL SPECIFIC BUDGET REQUEST JUSTIFICATION—\$737,000 to extend our fiscal year 2015 Jamestown Self-Governance Funding Agreements in the Indian Health Service (IHS) and the Bureau of Indian Affairs (BIA) from fiscal year to calendar year funding:

Estimate of funds needed to extend our fiscal year 2015 Funding Agreement to December 31, 2015: Indian Health Service (based on fiscal year 2015 total funds and AFA) \$352,560.14 (92 days of funding) Department of Interior (based on fiscal year 2015 AFA and fiscal year 2014 Contract Support Costs actual) Direct Funding \$435,467.26/CSC Funding \$301,120.79/Total = \$736,588.05

We are requesting this change in the funding cycle of our Annual Funding Agreements to minimize the impact the tribe has incurred because of Continuing Resolutions (CR) have on our programs and services for the nearly two decades. Since fiscal year 1998, there has only been 1 year (2006) in which the Interior, Environment and Related Agencies Appropriations Bill has been enacted before the beginning of the new fiscal year. Delayed appropriations undermines Tribal Self-Governance because it creates budgetary uncertainty, disrupts programs and service delivery which impedes the tribes' ability to efficiently and effectively utilize our Federal funds. We currently operate our programs and services under a fiscal year annual funding agreement that is consistently not available to us until half-way or later in the fiscal year due to CRs. This year, we received our final allocation for IHS facilities money on February 11, 2015, or, 4½ months into the fiscal year. On the BIA side, we are still waiting for almost \$1 million dollars of contract support costs (CSC). When we do not receive our funding in a timely manner it interrupts our government operations in the following ways: we are forced to borrow money from our tribal businesses to supplement our programs and services; we have to work out deals with our vendors to extend payments which costs us additional money in finance costs; projects are postponed; our ability to invest in economic development and job creation is limited; and the amount of money we can leverage to enhance programs and services is not realized. Program performance is a significant factor that influences budgetary decision-makers. Yet, we cannot demonstrate program success or the effective and efficient use of Federal funds when we do not receive our funding at the beginning of the fiscal year. Self-Governance was designed to allow tribes flexibility to redesign programs, services, functions and actions to meet the needs of our tribal citizens. We therefore respectfully request five quarter funding to allow us to transition from fiscal year to calendar year funding.

REGIONAL BUDGET REQUEST—Rights Protection Implementation: Increase to \$52 Million (BIA):

Rights Protection Implementation funds important court ordered management activities which support off reservation treaty rights of 49 tribes and other intertribal management efforts. This funding is essential for the protection of tribal economic, subsistence, cultural and medicinal practices as well as the sustenance of healthy productive tribal nations and their surrounding States, local governments and neighboring communities.

#### NATIONAL BUDGET REQUESTS

##### 3. Exempt Tribes from Sequestration and Further Rescissions and Restore 2013 Sequestration Cuts (BIA and IHS):

Budgetary reductions undermine Indian Treaty Rights and Federal obligations. The Federal trust obligation must be honored and vital programs and services for tribes must be sustained despite the budget deficit. In fiscal year 2013, the Budget Control Act imposed a \$228 million reduction for the Indian Health Service which translated into a reduction of 3,000 inpatient admissions and 804,000 outpatient visits for American Indian/Alaska Natives to IHS and tribal hospitals and clinics. In addition, the BIA endured a \$119 million reduction which directly impacted public safety, education, housing, roads, Indian child welfare and social services for Tribal citizens and Indian communities. Sequestration and rescissions further exacerbate an already precarious budgetary situation undermining the tribes abilities to maximize their unfunded operations and provide basic services to our tribal citizens. We urge Congress to exempt tribes from any further reductions imposed by the Budget Control Act and to restore funding cuts due to the 2013 sequestration and rescissions.

##### 4. Full Funding/Mandatory Funding for Contract Support Costs (BIA and IHS):

—BIA \$277 million, an increase of \$26 million above the fiscal year 2015 enacted level

—IHS \$718 million, an increase of \$55 million above the fiscal year 2015 enacted level

Although we are pleased that the Federal Government has provided full funding for contract support costs under the Indian Self-Determination and Education Assistance Act (ISDEAA) in fiscal year 2014 and 2015, tribal programs should not be subjected to programmatic decreases in order to fulfill the Federal Government's contractual obligations. CSC should be appropriated as a mandatory entitlement. Under the ISDEAA, the full payment of CSC is not discretionary, but is a legal obligation of the United States to pay tribes for services. We strongly urge Congress to fund CSC on a mandatory basis as included in the fiscal year 2016 President's budget proposal.

5. Increase Funding for Purchased/Referred Care (formally called Contract Health Services)—\$198.2 million:

Purchased and Referred Care (PR/C) is important to tribes in the Northwest because we do not have any hospitals to address emergency and specialty care services. Much of the secondary care, and nearly all of the tertiary care needed must be purchased from the private sector. PR/C funds are used to purchase essential healthcare services, including inpatient and outpatient care, routine emergency ambulatory care, and transportation and medical support services. These funds are critical to securing the care needed to address many of the diseases which are among the leading causes of death for American Indian and Alaska Natives (AI/AN). Tribes have been forced to rely on 3rd party revenue (Medicare, Medicaid and Private Insurance) when PR/C funds have been depleted. The IHS has established medical priorities because PR/C funding is inadequate to fund all needed medical services. Most tribal facilities are only able to address Priority 1 life and limb and catastrophic healthcare emergency cases. We request an increase of \$198.2 million for Purchased/Referred Care in the fiscal year 2016 budget to meet this critical need.

6. IHS Mandatory Funding (maintaining current services—+\$368.9 million over the fiscal year 2015 President's proposed budget:

Current Services include mandatory costs that are required to maintain health services to include population growth, medical and non-medical inflation, paycosts and CSC. When these mandatory costs are not funded, Tribes are faced with having to cut programs and services for our tribal citizens. Tribes cannot continue to absorb these costs and maintain the level of quality care our tribal communities deserve.

7. Special Diabetes Program for Indians—\$200 million a year for 5 years (Special Appropriations administered by IHS):

American Indian/Alaska Natives (AI/AN) are two to four times as likely to develop diabetes compared to other races. The SDPI program has proven effective in combating diabetes and enhancing care and education in AI/AN communities. As a result, the program has successfully reduced costly health complications and the incidence of the disease itself.

8. Economic Development/Loan Guarantee/Surety Bonds—\$15 million Loan Guarantee/\$9 million Surety Bonds (BIA):

Tribal governmental revenues depend entirely on effective economic development to support nearly every aspect of reservation life and government operations. Chronic underfunding of Indian programs and the severe lack of private investment has left the economic potential of Indian country unrealized. The Loan Guarantee Program provides eligible tribal and individual Native borrowers a mechanism to obtain conventional lender financing for businesses and economic development projects. Funding the Surety Bonding component of the Loan Guarantee Program would create an avenue for tribes to compete for Federal contracts. In order for tribes to attain economic self-sufficiency, they need access to capital, investment in infrastructure, parity in funding and tax incentives and resources for technical assistance and training to develop tribal capacity.

9. Support for Tribal Government TPA/Fixed Costs Paycosts—+\$139 Million Increase (BIA):

The BIA tribal base funding allows tribes to exercise their inherent right to Self-Governance and is used to support core governmental programs. These funds pay the wages of our cops, firefighters, social workers, child welfare workers, and resource managers. Since 1996, tribal government core services are operating with over a 30 percent reduction in base funds. While base funding has decreased, there has been an increase of grant funding. Allocating new funding for BIA via grant opportunities marginalizes and impedes the exercise of tribal self-determination be-

cause grants limit the flexibility and local control available to tribes under the ISDEAA. Tribes advocate for an increase to base funding instead of funding tribes with grants. Tribal paycosts represent the only TPA base increase most tribal service programs receive. Most Federal agencies receive annual increases to their fixed costs rates each year to address inflationary costs associated with fringe benefits and pay costs. Partially funding or failing to fund paycosts devastates tribal communities by causing critical job losses.

10. Road Maintenance \$40 million:

The Road Maintenance Program is frequently identified as one of the tribes top budget priorities, and yet, it is frequently targeted for funding reductions and remains one the BIA's most underfunded programs. Tribes often have to use their maintenance dollars for day to day activities to maintain public safety such as snow and ice removal on tribal roads. Currently the deferred maintenance backlog is about \$75 million but road maintenance is currently funded at less than \$25 million.

Thank you on behalf of the Jamestown S'Klallam Tribe. I respectfully request that these recommendations be included in the fiscal year 2016 budget in order to honor the trust responsibility and support tribal prosperity and well-being.

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PREPARED STATEMENT OF THE JMS NAVAL ARCHITECTS

Dear Senators:

The Great Lakes is a vast international natural resource which represents a massive economic engine generating nearly \$35 billion/year and is responsible for 75,000 jobs in fishing, tourism and related industries. Several independent sources estimate \$7.0 billion/year is attributable to Great Lakes fisheries alone. To make wise management decisions regarding conservation, water management and fisheries resources throughout the Great Lakes basin, the highest quality science possible is required. The U.S. Geological Survey's Great Lakes Science Center (USGS GLSC) relies on a fleet of state-of-the-art fisheries research vessels to perform its critical science mission requirements. For over 20 years, JMS Naval Architects has supported GLSC by providing engineering and design services to assist in the management of their fleet. We are proud to play a role in maintaining the fleet with an outstanding record for safety, mission readiness and cost effective operations.

Due to the mobile nature of research vessels, the fleet of vessels and the science performed on them contribute to local economies throughout the Great Lakes and beyond. Small towns across the Great Lakes provide the necessary logistics and provisioning support for science missions. Shipyards provide critical maintenance and construction services. Just in the past few years, shipyards in Manitowoc and Cleveland have benefitted from new vessel construction projects valued at \$5.6 million and \$9.4 million respectively. The need for routine shipyard maintenance also provides recurring work and stable jobs for many private sector interests. JMS Naval Architects has provided the engineering and design support to help manage the fleet's operations, maintenance and new construction. Our longstanding partnership with USGS has enabled us to recruit employees to Mystic, Connecticut and expand our business. Although our engineers are based in Connecticut, the work is often performed at USGS home port locations and private shipyards throughout the Great Lakes region casting a wide net of economic impact.

JMS Naval Architects strongly supports USGS GLSC fisheries science as the products they develop are foundational to management decisionmaking on Great Lakes fisheries. The USGS GLSC conducts impartial, high quality science essential to Federal, State, Tribal, and Provincial management programs throughout all five Great Lakes and in all eight Great Lakes States. Great Lakes management jurisdictions depend on USGS GLSC Deepwater and Invasive Species Programs to provide data critical to understanding the long-term condition of the fish communities and to develop tools and technologies needed to combat invasive species like the sea lamprey that threaten the valuable sport and commercial fisheries.

USGS GLSC scientific research capabilities have been hard hit by back-to-back years of budget erosion and worsened by a 6 percent cut from sequestration in 2013. Their 2014 budget was back to the level it was in 2009. The ongoing budget impacts have led to an accumulation of more than 15 unfilled scientific/technical positions distributed throughout the Great Lakes Region. The USGS has been improvising for several years to address the unfilled positions, but their capacity to deliver the critical and high quality scientific information in a timely manner is in jeopardy. This high quality, impartial scientific information is absolutely essential for wise management of the fisheries and protection from invasive species.

For the first time since the President was elected, his 2016 budget highlights two areas where the USGS GLSC programs would experience relatively small budget increases. The President proposes: (1) \$250,000 increase for the Great Lakes Deepwater Assessments; and (2) bureau-wide \$2.0 million increase for Invasive Species, which would likely result in a portion of those funds being directed to USGS GLSC. The language for the proposed funds for Great Lakes Fisheries Assessments (pg. C-52) and for New and Emerging Invasive Species (pg. C-26) can be found in the fiscal year 2016 USGS Budget Justification at: [http://www.doi.gov/budget/appropriations/2016/upload/FY2016\\_USGS\\_Greenbook.pdf](http://www.doi.gov/budget/appropriations/2016/upload/FY2016_USGS_Greenbook.pdf).

JMS Naval Architects greatly appreciates the subcommittees' ongoing support for programs that sustain and restore the Great Lakes. We join with the Great Lakes Fishery Commission Council of Lake Committees in supporting \$17.5 million in fiscal year 2016 appropriations for the U.S. Geological Survey's Great Lakes Science Center. Currently the USGS GLSC receives approximately \$8.5 million in appropriated funding to support science programs critical to the management of these incredibly valuable resources. Compared to economic returns generated from the Great Lakes, this funding level only represents about 1.2 percent of the annual fisheries related revenue and less than 0.03 percent of the revenue attributable to closely related industries.

These needs were previously detailed in a March 2010 bi-partisan letter, authored by nine U.S. Senators and 21 U.S. House members, written to their congressional appropriation leadership to request a total science budget of \$15.0 million; and again 2 years later in April 2012, by the Association of Fish and Wildlife Agencies describing the importance of the USGS programs to regional management decisions and recommending an appropriated science budget of \$15.0 million. The current requested increase to \$17.5 million will address uncontrollable costs over the past 5 years and boost investments in advanced technology. Investments in technologies to assess the fishery have fallen well behind marine programs. GLSC scientists need to have access to 21st Century innovations like autonomous samplers that can provide critical resource information with greater spatial and seasonal coverage and less overall cost than traditional hands-on measurements.

The importance of the USGS information and the risks posed by budget cuts to their science has been well documented. We urge you to embrace these requests in the President's budget and respectfully ask you to increase these additions by \$8.75 million for a total increase of \$9.0 million for the USGS GLSC Deepwater Assessments.

[This statement was submitted by T. Blake Powell, *President*.]

#### PREPARED STATEMENT OF THE LAC DU FLAMBEAU BAND OF LAKE SUPERIOR CHIPPEWA INDIANS

My name is Eric Chapman, I am a councilman for the Lac du Flambeau Band of Lake Superior Chippewa Indians, located in Wisconsin. I am pleased to submit this testimony, which reflects the needs and concerns of our tribal members for fiscal year 2016. My testimony addresses the Bureau of Indian Affairs (BIA), Environmental Protection Agency (EPA) and Indian Health Service (IHS) programs that are vital to my people.

The President's fiscal year 2016 budget has some important and positive initiatives for tribes. For example, fully funding contract support costs and requesting that Congress reclassify this funding as mandatory. Doing so would implement what two Supreme Court cases have already stated is the law. This funding must be paid, it is time that Congress make the necessary changes in the statute to implement the Court's decisions.

#### I. GENERATION INDIGENOUS INITIATIVE

I call on you to fully support the administration's emphasis on our youth. The Generation Indigenous Initiative is the first time this Nation has taken a comprehensive approach to improving the lives of Indian children. The administration called on all agencies including those outside of the Department of the Interior and the Indian Health Service to do their part to fulfill the trust responsibility to Indian children. Based on the Federal trust responsibility, the Federal Government should be committed to providing fundamental fairness to tribes, not just in selected areas but across the board—and appropriations for all programs affecting Indians should provide funding levels based on this fundamental principle.

*BIA Tiwahe (Family) Initiative.*—The tribe strongly supports the continuation of the administration's Tiwahe initiative, a broad-based, interdisciplinary, and cul-

turally appropriate program for addressing the needs of Indian families and communities—including child welfare and family services, housing and job training. This program fills an immediate and critical need.

At Lac du Flambeau, over the last few years we have faced a crisis in our community arising from a growing epidemic of drug abuse. The problem has been far-reaching—as we find widespread abuse of prescription drugs, synthetic marijuana, and heroin on our reservation. The impact on our community has been devastating in terms of the health and well-being of our families. This is why the tribe supports the administration's request for \$22 million to increase the number of behavioral health providers focused on Indian youth through the Indian Health Care System. We also support the complementing request within the Substance Abuse and Mental Health Services Administration, including the \$15 million for Tribal Behavioral Health Grants, which is targeted at reducing substance use and the incidence of suicide attempts among Native youth.

The rise in drug abuse often leaves our children caught in unsafe situations at home. This has led to an increase in the need for foster care and other temporary placements for our children. The administration's \$47 million requested for tribal social service programs and the \$15.6 million requested for Indian Child Welfare programs will help meet this need. In addition the \$28 million requested for tribal courts (\$5 million for tribal family courts) will also ensure that our children are safer as these institutions will have additional resources to supervise and monitor the children in their care.

## II. DEPARTMENT OF THE INTERIOR

### A. *Natural Resource Programs*

As we address our communities' social services needs, we are mindful that one of the cornerstones of a healthy community is a healthy environment. Clean air, water and land are vital for the physical and emotional health of our people, and provide both a foundation for our tribal culture and the basis for economic opportunity on our reservation. That is our obligation to future generations—to ensure that our lands, air and waters are adequately protected.

### B. *Bureau of Indian Affairs Climate Resiliency*

The tribe endorses the requested \$20 million increase to address the impact of the changing climate on our natural resources. Our community is reliant on our natural resources to survive. If people cannot fish the lakes we have been fishing since the beginning of time or hunt wild game because these resources are not there, who we are as a people will be forever changed.

### C. *Tribal Natural Resource Management and Development; Tribal Fish Hatchery Operations and Maintenance*

Tribes are leaders in natural resource protection and BIA natural resource funding is essential to maintain our programs. Lac du Flambeau has a comprehensive Natural Resources Department and dedicated staff with considerable expertise in natural resource and land management. Among our many programs, the tribe operates a fish hatchery that stocks many of our lakes. Along with our other natural resource programs, our fish production activities are essential to protect our natural resources and to foster economic activity on our reservation. We support full funding for these programs. According the Bureau of Indian Affairs, this year's request for fish hatchery maintenance should support 40 new projects to address climate change impact on hatcheries. This is important work, but we ask the subcommittee to be mindful that the operations funding has not received an increase in a number of years. If we do not have the resources to operate these facilities, there is no point in maintaining them.

### D. *Circle of Flight: Wetlands Waterfowl Program*

We urge the subcommittee to continue to provide support for the BIA Circle of Flight Program. This program supports tribal efforts throughout the Great Lakes Region to restore and preserve wetlands and waterfowl habitat within tribal territories.

### E. *Great Lakes Indian Fish and Wildlife Commission*

The tribe strongly supports the work of the Great Lakes Indian Fish and Wildlife Commission ("GLIFWC"). GLIFWC assists in protecting and implementing its treaty-guaranteed hunting, fishing and gathering rights. We urge the subcommittee to fully support the programmatic funding for GLIFWC from both BIA and EPA. GLIFWC has played an invaluable role in providing science and sound management

practices for our off-reservation resources. This role could not be filled by any other agency.

#### *F. Conservation Law Enforcement Officers*

Related to our responsibilities to maintaining our environmental is the need for funding for Conservation Law Enforcement Officers. Conservation Law Enforcement Officers are responsible for enforcing hunting and fishing regulations related to the exercise of treaty rights, but they also are often the first to respond to emergency situations. These officers play an integral part in protecting our cultural and economic resources, as well as assisting with protecting public safety. We urge the subcommittee to provide funding for Conservation Law Enforcement as an acknowledgement of the importance of tribal conservation law enforcement officers to the Federal law enforcement family.

#### *G. Transportation*

Proper road maintenance on the reservation is essential for the safety and health of our community, and for promoting economic opportunities. We urge the subcommittee to increase funding for the BIA road maintenance program. Please augment the \$2 million increase you saw was justified last year for this important safety programs.

#### *H. Tribal Historic Preservation Offices*

The Tribe supports the \$15 million requested by the National Tribal Historic Officers Association to fund tribal Historic Preservation Act compliance. While more tribes have assumed the responsibility under the Historic Preservation Act Federal appropriations have not kept pace.

### III. ENVIRONMENTAL PROTECTION AGENCY

#### *A. EPA Tribal General Assistance Program*

The tribe strongly supports the proposed \$31 million increase in the EPA Tribal General Assistance Program, known as "Tribal GAP." This program provides base environmental funding to assist tribes in building their environmental capacity to assess environmental conditions, utilize available data and build their environmental programs to meet their local needs. This is a foundational program for tribes to address the broad range of challenging circumstances we face regarding our reservation environment.

#### *B. Clean Water Programs*

The tribe also supports the proposed funding for the pollution control program under section 106, and for non-point source pollution under section 319 of the Clean Water Act. At Lac du Flambeau, the tribe has obtained Treatment as a State status under the Clean Water Act for establishing water quality standards, and we have an active program to monitor, maintain and improve water quality, as well as a program to address non-point source pollution. Water is basically everywhere on our reservation, as we have 260 lakes covering over 17,000 acres, as well as 71 miles of streams and 24,000 acres of wetlands. The section 106 and section 319 programs should be funded at the recommended levels to enable tribes to protect their water resources.

#### *C. Great Lakes Restoration Initiative*

The tribe strongly supports funding for the Great Lakes Restoration Initiative. For the indigenous people of Wisconsin, the Great Lakes represent the lifeblood of our culture and the foundation of our economies. The protection and preservation of the Great Lakes are necessary to preserve the tribal communities that have made the Great Lakes area their home since time immemorial. The funding needs for tribal initiatives under this program is \$5.2 million; notwithstanding this need tribal initiatives were only awarded \$3.8 million. The tribe asks the subcommittee to consider a tribal set-aside of this funding to ensure there is parity funding for all tribal needs.

#### *D. Brownfields*

The Brownfields program provides funding for tribes and others to assess and clean up lands that have been contaminated. Brownfields funding is divided among those seeking funding—so the more tribes that participate in efforts to clean up their contaminated lands, the less money is available for each tribe. While the number of tribes needing these funds has been increasing in recent years, the funding has not. We urge the subcommittee to provide greater funding so tribes can properly protect their homelands and clean up Brownfields.

## IV. EDUCATION PROGRAMS

Education remains a critical investment in the future of the tribes. The Johnson-O'Malley Program provides vital support for Indian students in public schools. We support the \$17.3 million requested for this program, and the subcommittee's continuing oversight to obtain an accurate JOM student count. We must do more for our students in public schools. Likewise, we are proud to see an increasing number of our students attending and graduating from colleges and other post-secondary institutions. But the cost of such education is staggering and funds must be available for our students to succeed in higher education. More scholarship funding is needed. The tribe also supports the administration's proposed increase in BIA funding for fellowship and training opportunities for post graduate study.

We also support the \$52.9 million requested for the Department of Education Native Youth Community Projects to support community driven strategies to improve college and career readiness of Native youth in public schools. Empowering tribal communities to meet the needs of their children is at the heart of the Self-Determination policy and is what will lead to a brighter future for our children.

## V. INDIAN HEALTH SERVICE PROGRAMS

The administration's \$5.1 billion request for the Indian Health Service is a 10 percent increase in funding above the fiscal year 2015 level. Importantly, some of this increase is dedicated to population growth and medical inflation so that our healthcare programs can keep pace with the growing need and costs. This increase will allow for a significant investment in Purchased and Referred Care with a \$70 million increase. This increased level of funding should provide for 980 additional hospital admissions, 19,800 additional outpatient visits, and finally, an additional 1,210 patient transports.

Research has clearly demonstrated that our overall health is tied to our oral health. The Lac du Flambeau Tribe recognized this and that is why in 2013 we opened a state-of-the-art dental clinic to serve the needs of our people. No longer are dental visits done by an occasional dental visit at our schools. We are now seeing our members in our facility early and often and are preventing dental disease before it can happen. We fully support the requested \$7 million increase for the dental health services program. This increase will address the not only medical inflation, but also the population increase our community has experienced.

## PREPARED STATEMENT OF THE LEAGUE OF AMERICAN ORCHESTRAS

The League of American Orchestras urges the Senate Interior, Environment, and Related Agencies Appropriations Subcommittee to support fiscal year 2016 funding for the National Endowment for the Arts (NEA) at a level of \$155 million. We ask Congress to continue recognizing the important work of this agency to increase public access to and engagement with the arts, promote the creation of new artistic works, and cultivate a sense of cultural, community, and historic pride, all while supporting millions of jobs in communities nationwide.

The League of American Orchestras leads, supports, and champions America's orchestras and the vitality of the music they perform. Its diverse membership of approximately 800 orchestras runs the gamut from world-renowned symphonies to community groups, from summer festivals to student and youth ensembles. Orchestras unite people through creativity and artistry, fuel local economies and civic vitality, and educate young people and adults. The League is committed to helping orchestras engage with their communities, and the NEA plays an invaluable role through its direct grants, Federal/State partnerships, and research on trends in public participation and workforce development.

The award of a competitive NEA grant is widely considered an affirmation of national artistic significance. The ability to present nationally recognized programs is highly valued by communities large and small, and being an NEA grant recipient is critical in securing additional funding for a variety of programming and operations. In fiscal year 2014, the NEA's Grants to Organizations included 116 direct grants to orchestras in the *Art Works* and *Challenge America* categories. The following ten highlighted awards from fiscal year 2015 total \$220,000 in NEA support.

*NEA Funding Enables Orchestras to Innovate and Collaborate Across Disciplines*

Grant support from the NEA helps make it possible for orchestras to collaborate with partners in other artistic disciplines to offer innovative programming. An *Art Works* grant supported a concert opera production by the Lexington Philharmonic of composer Osvaldo Golijov's "Ainadamar (Fountain of Tears)." This Spanish work



combines singing, visual arts, flamenco dance, and orchestral music in its exploration of the life of playwright Federico Garcia Lorca. In addition to the main performance, the grant supports lecture-demonstrations and school performances. The orchestra's 100 full- and part-time employees work with area public schools, colleges and universities, providing music education and cross-curricular learning. Moreover, the orchestra partners with more than 60 area nonprofit, educational, and arts organizations per year. This particular NEA-supported project is especially meaningful because it fully exercises each of the orchestra's core values of artistic excellence, innovation, collaboration, and accessibility.

The St. Louis Symphony Orchestra also received *Art Works* support for a cross-disciplinary opera program, presenting Giuseppe Verdi's opera "Aida," incorporating multi-sensory video and lighting installations designed by visual artist S. Katy Tucker to supplement the music and story line of the opera and give concertgoers an enhanced environment in which to hear and see the music at historic Powell Hall. Each concert will be preceded by engaging, interactive conversations led by acclaimed music director David Robertson. The Nation's second-oldest orchestra founded in 1880, the St. Louis Symphony Orchestra employs 93 musicians and 61 full-time staff and serves upward of 300,000 individuals each season through an average of 120 orchestral concerts, 250 free education/community activities in a 125-mile radius of the City of St. Louis, and weekly radio broadcasts and tours and recordings—their latest winning the 2015 GRAMMY® Award for "Best Orchestral Performance."

#### *NEA Funding Supports Orchestral Commemoration of Key Historical Moments*

The Kansas City Symphony, with 80 full-time musicians and 35 full-time staff members, is presenting *Upheaval and Transformation*, a season-long exploration of the music leading up to World War I. Featuring works by Debussy, Mahler, Nielsen, Ravel, Schoenberg, Richard Strauss, and Stravinsky, the *Art Works*-supported project commemorates the start of World War I, combining with several other community arts events including exhibits, concerts, and performances in Kansas City by the Nelson-Atkins Museum, Lyric Opera of Kansas City, Harriman-Jewell Series, Kansas City Repertory Theatre, and Friends of Chamber Music. This community-wide artistic exploration is especially important to the city due to the presence of the National World War I Museum in Kansas City. Music Director Michael Stern, who holds a degree in American history from Harvard University, has written special program notes and discusses the project at pre-concert talks with audience members. In June, a Symphony ensemble will perform Stravinsky's *L'Histoire du soldat* (The Soldier's Tale) at the National World War I Museum followed by a panel discussion about the cataclysmic impact of the Great War on the arts and our society.

Reflecting upon more recent events, the Detroit Symphony Orchestra (DSO) will utilize its NEA grant for a performance of New Orleans-born jazz trumpeter and composer Terence Blanchard's "A Tale of God's Will (A Requiem for Katrina)," along with related educational activities. In commemoration of the tenth anniversary of Hurricane Katrina, the suite of 13 original pieces will be performed by Blanchard and members of his band along with symphony musicians as the centerpiece of three-day festival *A Musical Tale of Two Cities: Motown Meets the Big Easy*. Additional activities include: pre- and post-concert performances by student groups from the DSO's Civic program and the New Orleans Center for Creative Arts, a concert by a funk jazz group from New Orleans, a pre-concert talk by Blanchard and other special guests, a jazz community forum, a masterclass with Blanchard, and a screening of the documentary "When the Levees Broke" along with a Q&A session. The orchestra, which employs 76 musicians, 201 part- and full-time staff, received NEA support for this project, along with a substantial grant from the Knight Foundation's Knight Arts Challenge, which is a powerful illustration of the public/private partnership that makes projects such as this possible.

#### *NEA Funding Broadens Access for Underserved Communities and Young Students*

Together with the organizations it supports, the NEA is dedicated to improving public access to the arts. An *Art Works* grant enabled the Spartanburg Philharmonic Orchestra to present a new concerto written for percussionist Dame Evelyn Glennie, a master class, and a lecture-demonstration exploring the importance of listening skills with Glennie, who is profoundly deaf. The orchestra sent its co-principal percussionists to the South Carolina School for the Deaf and Blind to work with music students for 2 days preceding Glennie's visit, teaching the students about rhythm and creating sounds. When Glennie arrived in Spartanburg, the students performed on stage for her alongside the co-principal percussionists, and then learned directly from Glennie afterward. With just two full-time staff and 60 musicians, the

Spartanburg Philharmonic Orchestra was thrilled and excited to bring such a meaningful project to its community and to students who could learn from such a uniquely accomplished artist.

The Central Ohio Symphony received a *Challenge America* grant to bring The Great Animal Orchestra project to residents of the rural Buckeye Valley East community, including elementary students of Title I schools. This presentation, involving more than 10 partnerships, will provide students of Buckeye Valley East Elementary an opportunity to learn to create and write music with a guest artist composer, and their compositions will be played by Symphony musicians. The NEA grant is a first for the orchestra and it has been matched by a corporate grant and has prompted the city government to support the orchestra's yearly operations for the first time. Thanks to these partnerships and support, the orchestra will fund a week long residency with composer Richard Blackford, who will work with high school students, senior citizens, and the community at large to share his expertise and skills. With an administrative staff of two, the Central Ohio Symphony employs more than 100 musicians during the year and plays a significant role in economic development in the downtown area of Delaware, Ohio.

Another *Challenge America* recipient is the Burlington Chamber Orchestra (BCO), whose Music for Minors program brings professional musicians into Vermont classrooms. The Music for Minors program helps realize the orchestra's vision of reaching students who have not had an opportunity to extensively study music—whether due to geography, cultural differences, or economic limitations. Students first learn about music in the classroom from BCO musicians and then are invited to attend, free of charge, a May concert to solidify the classroom learning. This year's "Annual Celebration of Youth" concert will feature a young student composer from North Country High School in Newport and this year's winner of the BCO's Young Artist Solo Competition—a saxophonist from Bellows Free Academy in St. Albans.

An *Art Works* grant to the Eugene Symphony, which employs six full-time staff, four part-time staff, and 83 part-time musicians, made possible a concert and weeklong residency by NEA Jazz Master and Grammy Award-winning saxophonist Branford Marsalis. In addition to drawing a near-capacity audience to his Eugene Symphony debut, 300 of whom were first-time attendees at a Eugene Symphony event—Mr. Marsalis took part in related community programs which included free lectures for the general public and artistic development programs for young musicians at the middle-school, high-school, and collegiate levels. One example of Mr. Marsalis' numerous activities included master classes for two high-school jazz bands and one middle-school jazz band, during which he provided critical feedback on how to improve their performance. In all, Mr. Marsalis' concert and residency activities engaged over 4,000 students and adults throughout the greater Eugene community.

Focusing its NEA grant entirely on young musicians, the Tucson Symphony Orchestra's (TSO) Young Composers Project teaches elementary through high school students to compose original works for orchestra. Saturday sessions begin with basic theory, ear training, and score reading as students learn about clefs, keys, modes, notation, chords, rhythm, form, ranges, and transposition. Each session includes a listening component with score study focused on orchestral repertoire, and students learn to use Finale music notation software in the project lab, working closely with TSO musicians to create their own works. The project culminates in public reading sessions and recording of their work by the Tucson Symphony Orchestra and TSO String Quartet.

The New York Youth Symphony also focuses its NEA grant in support of its Youth Symphony Composition Program. Student composers participate in a series of interactive seminars, workshops, and guest lectures on composition and participants hear performances of their work by guest musicians. Drawing from the classical repertoire and range of musical traditions throughout the world, students explore a variety of composers, study scores, instrumentation, recordings, and orchestration books. Through class discussion, written exercises, and composition, students will cultivate their own musical voices in this tuition-free program led by professional composers and musicians. The New York Youth Symphony has four full-time and 12 part-time staff and engages numerous professional chamber coaches and professional orchestral musicians to provide compositional and orchestral coaching.

Thank you for this opportunity to convey the tremendous value of NEA support for the communities served by orchestras across the Nation. These are but a small sampling of the innovative collaborations, thoughtful programming for underserved communities, and lifelong learning opportunities orchestras provide in service to adults and children from all walks of life. The Endowment's unique ability to provide a national forum to promote excellence and engagement through high standards for artistic products and the highest expectation of accessibility remains one of the strongest arguments for a Federal role in support of the arts. We urge you

to support creativity and access to the arts by approving \$155 million in funding for the National Endowment for the Arts.

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PREPARED STATEMENT OF THE LITTLE RIVER BAND OF OTTAWA INDIANS

Chairwoman Murkowski, respected members of the subcommittee:

I am Jessica Burger, Tribal Manager of the Little River Band of Ottawa Indians (LRBOI). I am honored to present this testimony on behalf of the Little River Band of Ottawa Indians, regarding our views and priorities for the fiscal year 2016 President's annual budget request. Our Ogema (Chief), Mr. Larry Romanelli, regrets that he was unable to travel here from Manistee, Michigan, our homelands, to deliver this testimony himself.

LRBOI is pleased with the ongoing commitment of the administration, to "do right by (our) nations," through appropriations requests for the Bureau of Indian Affairs (BIA) at \$2.9 billion, and the Indian Health Services (IHS) of \$5.1 billion; fully \$323 million and \$461 million above the fiscal year 2015 enacted levels. The increases are positive steps in the United States' efforts to live up to its promises to honor treaty and trust responsibilities, support nation building, and restore our unique governance and self-determination. LRBOI believes that tribal consultation works. This subcommittee's willingness to hear the concerns of tribal leadership and our views regarding the impact of the administration's budget requests derives informed appropriations language that facilitates the outcomes we are all wishing to achieve—successful, safer and prospering Native Nations.

Since Reaffirmation in 1994, LRBOI has prioritized its economic development efforts, programs, and service delivery to enhance the standard of living of its members. Assisting LRBOI members to achieve a middle class economic standard has been an overarching goal since reaffirmation, and while gains are being made, persistent issues remain:

- over half (56 percent) of tribal member households earn less than \$30,000 annually, compared to a mean household income of just over \$64,500 for Michigan residents;
- less than 40 percent of LRBOI tribal members adults have achieved education beyond a high school diploma, compared to nearly 60 percent of Michigan adults reporting some degree of higher education;
- $\frac{1}{3}$  of tribal members access one or more tribal assistance programs annually—current enrollment stands at just over 4200 persons.

Our Tribe is a "young tribe"—the majority are working age adults (2,652) with a large female overall population (2,228). As the overall demographic suggests, the focus of planning for our future needs will require addressing the issues facing a majority-female population, significantly less than retirement age, lacking higher education, and with annual incomes below Federal poverty level. These factors make achieving "middle class" living standards less likely for many of our people. As the population ages into "elder status" (age 55 and older)—affordable housing, medical and long term healthcare services for a population that has less opportunity in the workforce and less earning potential due to gender—adds to the potential of instability for our community.

Unfortunately, this is happening now, not someday in the future. Increased need resulting in greater requests and access of our assistance programs, along with diminished revenue sources in fiscal year 2014 (both tribal generated supports and Federal program reductions), left unmet obligations in all service categories, adversely impacting our families. Initiatives that were rolled out to Indian Country, specifically the Tiwahe Initiative, did little to assist our efforts. LRBOI implemented our community-specific model targeting the dire impact of poverty on LRBOI families in 2014. We call it "Zoongaadiziwin," and it includes many of the same service targets, with an end goal to strengthen the family unit. Zoongaadiziwin engages general welfare, counseling supports, education, and employment training opportunities under a case-managed, client-centered process, including client-identified milestones that promote and enhance family stability, ultimately strengthening our community. As our overall numbers are smaller than other tribes, it is difficult to write an effective competitive proposal for this program. LRBOI recommends this initiative be funded as a formula-based tribal priority allocation to put all tribes within reach of this needed assistance.

LRBOI is encouraged by the potential described in the "All of Government" approach to addressing unmet obligations in Indian Country. As suggested, DOI and BIA have historically been the point of contact for tribes to access resources necessary to address the needs of tribal communities. We are intrigued by the Generation Indigenous Initiative. Creating government-wide collaboration placing priority

on “all of the Federal Government” to assist in the preservation of our most precious resource, Native American Youth, seems very achievable. LRBOI suggests taking this one step further: allow the program dollars to be accessed under a new cross-cutting self-governance line item called “Gen-I Native Youth” in non-BIA agreements, as well as BIA and IHS self-governance agreements.

All tribes are facing record numbers of youth committing suicide, facing homelessness and not achieving high school diplomas, let alone seeking higher education degrees. To illustrate the need for the subcommittee, I provide two examples:

First, we have a youth in our community that served as Tribal Princess; her story is not typical in Indian Country. She comes from a stable family unit that is affluent by most standards. She has achieved exceptional SAT and ACT scores and is in her junior year in the public school system. Yet, she is failing classes, contributed in part to the medical challenge of being a type 1 diabetic, which takes her out of class with missed school days, and a diagnosis of acute depression and anxiety disorder. This perfect storm has culminated in 3 suicide attempts in the past 18 months of her life. In addition, her family is faced with inadequate mental and medical specialty practice availability. Juvenile psychiatric services are non-existent, and the closest medical specialty services are over an hour and a half drive away. Both have limited openings. I know her well; she is my daughter. She has so many gifts, and simply cannot climb out of the mire that is her world—depression, self-image issues, and chronic illness. In my role as the administrator for our tribe, I am unable to secure the professionals my community needs to address her issues. She is not the only one. I am sad to report, we also had a “successful suicide attempt” on March 15th of this year and lost a promising young woman. We will never realize her potential. Her family is devastated.

These are just two examples. We have many for our small population. In 2014, our Behavioral Health Department addressed 12 suicide attempts. Our local referral system is overloaded. We simply cannot recruit and retain mental health service providers or specialty medical practice needs with short-term granting initiatives. LRBOI asks the committee to place the funds in the hands of the tribes under self-governing authorities to allow the flexibility to address community-specific priorities. Create a true “all of government” approach and dedicate funds to a “Gen-I Native Youth” tribal share and priority allocation. Allow the tribes to align the funds to the priority areas the tribes determine, on a recurring funding basis, to ensure that the issues facing youth and their families are addressed with sustainable, successful interventions and services.

Sustainable programs require stable base funding inclusive of adjustments for inflation, population and in an ideal scenario, utilization. All of those factors should converge to create realistic support that enhances the potential of addressing the challenges faced in Indian Country: health status, employment and training, child welfare, and education. LRBOI appreciates the administration’s proposal to create a three-year mandatory appropriation for contract support costs. This proposal presents an opportunity for the Federal Government to comply at long last with the decisions in the Cherokee, Arctic Slope and Ramah Supreme Court cases. LRBOI would like the subcommittee to consider a permanent mandatory appropriation for contract support costs, removing them from the discretionary budget scenario to permanent appropriation. To enact this would eliminate the risk of untoward program reductions in discretionary budgets and protect the congressional intent of those funds—to provide needed services to American Indian/Alaska Native peoples.

A permanent mandatory appropriation for contract support costs would have an immediate impact on the following ongoing challenges:

- Services are vulnerable during times when short-term mandatory spending measures enacted by Congress expire and require reauthorization. The uncertainty of renewal results in roll-back of program delivery at the local level, and redirection of funds that support services to meet the costs of service provision. Or, in some cases, the uncertainty of renewal results in elimination of services altogether.
- The amounts necessary for contract support costs are often in dispute. Establishment of “such amounts as may be necessary” to pay full contract support costs places the onus on the agencies and tribes to work together to determine the actual costs to ensure accurate appropriations of only the total dollars needed. LRBOI urges the subcommittee to consider adding the establishment of a permanent contract support cost workgroup that will provide ongoing technical assistance and convene quarterly to assist with the determination of those “necessary amounts” from year to year.
- Contract support cost shortfalls are not determined in a timely fashion. A mandatory appropriations scheme that carries funding forward in each fiscal year could require the IHS and BIA to consult with and share shortfall information

with tribes though the establishment of deadlines in the appropriations language, with the goal of appropriations year-to-year being only those funds “necessary” to achieve full payment. LRBOI asks the subcommittee to compel the agencies to produce the shortfall reports for fiscal years 2013 and 2014 and to engage now to finalize information for fiscal year 2015.

As the President’s proposal suggests, mandatory full funding of contract support costs will enhance healthcare delivery by stabilizing the cost base year-to-year. Tribes will be able to plan on a long-term basis the types of services that can be delivered. LRBOI encourages the subcommittee to support permanent mandatory appropriations. It is a clean deal. LRBOI does not support the transition to mandatory appropriations with a “special appropriations” creating a demonstration project that is aimed at establishing the funding formulas. The shortfall reports are already in the hands of Congress. Build from those documents the permanent appropriations mechanisms, with immediate implementation in fiscal year 2016. It is doable and necessary.

LRBOI appreciates many of the proposed increases in the President’s fiscal year 2016 budget. The increases are necessary and promising. We see the positive impact of ongoing meaningful consultation that is occurring through the Tribal Interior Budget Council and National Budget Formulation Workgroup as it relates to the recommendations of those groups in the translation of budget priorities. We urge the subcommittee to continue to support the efforts of these tribally driven bodies to inform the work of the administration and, ultimately, Congress. We also believe in the partnership that continues to evolve out of the Federal Indian trust relationship. The United States and Native Nations truly do share a “sacred bond” borne from treaties—a mutual exchange for the benefit of both “nations.” LRBOI urges the subcommittee to do right by our Nations; help us ensure the future of our children, our families, and the seven generations to come.

Little River Band appreciates the opportunity to present this testimony to the subcommittee on these important matters. I am happy to answer any questions the members of the subcommittee may have.

KchiMiigwech (Many Thanks)  
Gdagaanaagaanik (All Our Relations)

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#### PREPARED STATEMENT OF THE MANILAQ ASSOCIATION

*Summary.*—The Maniilaq Association is an Alaska Native tribal organization representing twelve tribes in northwest Alaska. We provide health services through a self-governance agreement with the Indian Health Service (IHS) and social services through a self-governance agreement with the Bureau of Indian Affairs (BIA). We make the following recommendations regarding fiscal year 2016 IHS and BIA funding.

- Increase funding for the Village Built Clinic leases in Alaska by at least \$12.5 million and make it a line item in the IHS budget;
- Make Contract Support Costs funding for the IHS and BIA mandatory;
- Fund the IHS budget on an advanced appropriations basis;
- Support the proposed increase in behavioral health spending in the IHS and BIA budgets.

#### *Village Built Clinics*

Our Village Built Clinic (VBC) facilities continue to face a significant funding crisis. The VBCs are essential for maintaining our Community Health Aide/Practitioner (CHAP) programs in our villages. The CHAP program provides the only local source of healthcare for our Alaska Native people.

Because the CHAPs could not operate in most of rural Alaska without clinic facilities in the Alaska Native villages, the IHS established the VBC leasing program in the 1970s, but the leases have been chronically underfunded. Moreover, IHS has taken the position that VBCs—unlike comparable facilities in the lower 48—are not eligible for maintenance and improvement funding, for which Congress appropriated over \$53.6 million in fiscal year 2015 and for which the administration has requested a \$35 million increase. Current funding for the VBCs is not sufficient to cover the cost of repair and renovation as necessary to maintain the facilities in a safe condition. Many have been closed due to the hazards to the health service employees and patients, leaving villages without a clinic or access to CHAP services. Lease rental amounts for VBCs have failed to keep pace with costs; the majority of leases have not increased since 1989.

A very recent estimate is that \$12.5 million more per year, in addition to the current VBC allocation from IHS of about \$4 million, would be needed to maintain and

operate Alaska VBCs on a par with similar tribal health facilities elsewhere. Congress typically has not appropriated VBC funding as a separate line item. Instead, IHS allocates VBC lease funds from the Hospitals and Clinics line in its multi-billion-dollar lump-sum appropriation. This leaves IHS the discretion, in its view, to allocate however much—or little—it wishes to VBCs. Congress, of course, can override this discretion. We respectfully request that you direct IHS to (1) identify the amount needed to fully fund all Alaska VBCs, (2) request that amount in a separate line in the IHS budget, and (3) allocate that amount to the VBC lease program.

An alternative way to secure full funding for VBC facilities that they own is through mandatory leases under Section 105(l) of the Indian Self-Determination and Education Assistance Act (ISDEAA). Maniilaq Association has submitted two such lease proposals, which has resulted in litigation with the IHS that is still ongoing. IHS has refused to provide full payment under the Section 105(l) leasing regulations or to incorporate the leases into Maniilaq Association's ISDEAA Funding Agreement. The IHS's rejection of Maniilaq's first lease proposal, for its VBC facility in Ambler, Alaska, was overturned by a Federal district court in August, 2014, on the grounds that the IHS failed to respond to the proposal within the statutorily-mandated timeframe. *Maniilaq Association v. Burwell*, Civ. No. 13-380 (D.D.C. Aug. 22, 2014). The district court ruled that Section 105(l) leases may be incorporated into an ISDEAA funding agreement, but did not reach the question of whether or not full funding under the Section 105(l) regulations is mandatory or discretionary. That question will likely be litigated in Maniilaq's appeal of its second lease proposal, for its VBC facility in Kivalina, Alaska, which was filed in the same district court on January 30, 2015.

#### *IHS Advance Appropriations*

The Maniilaq Association has been working for several years on the issue of transitioning the IHS budget to an advance appropriations basis. We know you are sympathetic to our frustrations caused by the funding of IHS and other Federal agencies via a series of start and stop Continuing Resolutions. We are grateful to Representative Don Young for introducing legislation (H.R. 395) to authorize IHS advance appropriations and for our entire Alaska delegation in the 113th Congress for introducing the same legislation.

The current (fiscal year 2015) fiscal year funding was enacted 2½ months after the beginning of the fiscal year; in fiscal years 2013 and 2014 it was 6 months and 3½ months, respectively, after the beginning of the fiscal year. Following enactment, there is a couple month process of clearance through the agency and the OMB and then allotment to the Area Offices and finally to the tribes. Both the tribal and IHS programs suffer under this situation. We want to do the best job possible in planning, decisionmaking and administering programs but are limited by not knowing how much funding will be available or when it will be available. It also requires constant re-working of our budget, time we would much rather devote to providing healthcare services. Especially affected are recruiting and hiring decisions and our ability to buy things in bulk and thus at a cheaper cost, notably for us, heating fuel.

Congress has provided the authority for the Veterans Administration (VA) medical accounts funding to be appropriated on an advance basis and the Budget and Appropriations Committees have provided the necessary support for that authority. We are struck by the justification in the proposed fiscal year 2016 budget (fiscal year 2017 advance appropriations) for the VA. The term "Indian and Alaska Natives" could be appropriately be used each time it says "veterans". We ask for parity.

For 2017, the Budget requests \$63.3 billion in advance appropriations for the three medical care appropriations: Medical Services, Medical Support and Compliance, and Medical Facilities. This request for advance appropriations fulfills the Administration's commitment to provide reliable and timely resources to support the delivery of accessible and high-quality medical services for veterans. This funding enables timely and predictable funding for VA's medical care to prevent our Nation's veterans from being adversely affected by budget delays, and provides opportunities to more effectively use resources in a constrained fiscal environment. (Appendix, Budget of the U.S. Government, 2016, p.1058)

#### *Contract Support Costs Mandatory Funding*

We and all of Indian Country appreciate the bipartisan support of the Interior Appropriations Subcommittees for full funding of Contract Support Costs (CSC). We support the administration's proposal to move CSC funding to a mandatory funding basis although we and others in Indian Country would like it to begin in fiscal year 2016 rather than waiting until fiscal year 2017. It differs from our and others pro-

posal that CSC be funded indefinitely and not capped, but we gratefully acknowledge this proposal as a huge step for the IHS, BIA and OMB. We are hopeful that the \$718 million proposed for CSC funds for IHS and \$277 million for the BIA will be sufficient for full funding for fiscal year 2016—a lot of work has gone into the estimated calculations and that should bode well for future estimates as well.

We ask for this subcommittee's help in working with the Budget Committee and any others that may want to weigh in on this proposal for mandatory CSC funding. You have had a great deal of experience in talking with Indian and Alaska Native leaders about the frustrations and the inequity of tribes and tribal organizations who contract to assume administration of Federal programs not being paid for the costs to administer them. It was helpful that the Joint Explanatory Statement for fiscal year 2014 Appropriations included the statement that the Committees on Appropriations were in the "untenable position of appropriating discretionary funds for the payment of any legally obligated contract support costs." You have much to offer others in Congress who will weigh in on this issue. Indian Country will continue to do its part as well.

*Behavioral Health, Suicide Prevention, and Alcohol & Substance Abuse Treatment*

Alaska faces particular hardships in providing for our communities' behavioral and mental health. There is a dire need for more prevention funding for suicide intervention as well as alcohol and substance abuse prevention, particularly for our youth. Alaska has twice the national rate of suicide, and ranks second in the Nation in suicide attempts requiring hospitalization. Alaska Native teens commit suicide at a rate nearly six times that of non-Native teenagers. Compounding and complicating the suicide epidemic is alcohol and substance abuse, a mental health disorder. The overwhelming majority of the people we lose to suicide suffer from diagnosable, treatable mental health or substance abuse problems. However, the waiting list for treatment averages nearly 9 months, and due to lack of funding there is often no place to refer people, particularly young people.

Thus we urge you to support the administration's Generations Indigeneous (or "Gen-I") proposal for increased resources for tribes to address youth behavioral, mental health and substance abuse and auxiliary issues. For the IHS, the Gen-I proposal would include a \$25 million increase (\$10 million increase in Mental Health and \$15 million increase in Substance Abuse Prevention accounts), plus the \$5 million from last year for a total of \$30 million for tribal behavioral health grants. For the BIA the proposal is an increase of \$15 million to expand the Tiwahe Initiative designed to address the inter-related problems of poverty, violence and substance abuse faced by Native communities. Of note, but not under this subcommittee's jurisdiction, is the request for a \$25 million increase of SAMHSA as part of Gen-I—\$10 million from the Mental Health account and \$15 million from the Substance Abuse Prevention account.

Oftentimes, tribes in Alaska have a difficult time working through the State of Alaska to provide social services, which adds layers of guidelines, regulations, and reduced funding. We have found that tribes and tribal organizations can provide better services if they receive the funding directly, utilizing their local knowledge and cultural values.

*Other*

We cannot in four pages comment on everything of interest to us but want you to know that we join others in support of extending the Special Diabetes Program for Indians, for establishment of Medicare-like Rates for non-hospital services thus stretching our Purchased/Referred Care dollars, and stopping the drain on tribal and IHS healthcare programs caused by the lack of sufficient funding for annual built-in costs for medical and non-medical inflation, pay increases, and population growth.

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PREPARED STATEMENT OF THE METLAKATLA INDIAN COMMUNITY

*Summary.*—The requests of the Metlakatla Indian Community for fiscal year 2016 are:

- Support the administration's request to make Contract Support Costs funding mandatory, with a preference that such a change occur beginning in fiscal year 2016.
- Exempt the IHS from any future sequestration, as Congress has done for the Veterans Health Administration programs.
- Extend the Special Diabetes Program for Indians.
- Substantially increase funding for BIA Natural Resources; the administration requested a \$48 million increase but given the wide array of programs for which

the Metlakatla Indian Community has historically received far less funding than necessary, the need is much more than that.

The Metlakatla Indian Community (Community) is located on the Annette Island Reserve in southeast Alaska, a land base of 87,000 acres. Through our Annette Island Service Unit we provide primary health services at our outpatient facility through funding from the IHS as a co-signer to the Alaska Tribal Health Compact under the Indian Self-Determination and Education Assistance Act. We have significant fish and forestry resources but as noted elsewhere in this testimony, we require more resources to fully manage them.

*Contract Support Costs (CSC) Mandatory Funding.*—We are encouraged by the administration's policy proposal changes with regard to contract support costs and the widespread recognition that these costs are mandatory in nature. In our testimony of just 2 years ago we were fighting against the administration's proposals to not only underfund CSC but to cap each BIA and IHS individual contract. Now we are testifying in support of an administration proposal to move IHS and BIA contract support costs to a mandatory funding basis and in amounts that appear to be sufficient for full funding.

We support the administration's proposal to make IHS and BIA contract support costs funding mandatory although we and other tribes and tribal organizations would like this designation to begin with fiscal year 2016. It differs from our and others in Indian Country proposal that CSC be funded indefinitely and not capped, but we acknowledge the administration's proposal as a huge step for the Federal agencies directly involved and the Office of Management and Budget. We are hopeful that the \$718 million proposed for CSC funds for IHS and \$277 million for the BIA will be sufficient for full funding for fiscal year 2016—a lot of work has gone into the estimated calculations and that should bode well for future estimates as well.

Under the Indian Self-Determination and Education Assistance Act, the full payment of CSC is not discretionary; it is a legal obligation, affirmed by the U.S. Supreme Court. Funding of CSC on a discretionary basis has placed the House and Senate Committees on Appropriations, in their own words, of being in the "untenable position of appropriating discretionary funds for the payment of any legally obligated contract support costs."

We ask for this subcommittee's intervention with the Budget Committee and any others that may influence this proposal for mandatory CSC funding. You have had a great deal of experience in talking with Alaska Native and Indian leaders over the years about the frustrations and the inequity of tribes and tribal organizations who contract to assume administration of Federal programs not being paid for the true costs to administer them. You have much to offer others in Congress who will weigh in on this issue.

*Sequestration.*—We ask that IHS funding be exempt from sequestration, as is the Veterans Health Administration programs. We understand that a number of Members of Congress, including some on this subcommittee, have indicated that it was an oversight that IHS was not exempted from sequestration and that it should be corrected. We are grateful for this and trust it will be done this year. That oversight that resulted in a \$220 million cut in funding IHS for fiscal year 2013, made worse by the fact that it had to be absorbed in a matter of a few months. Those sequestered levels then become the base for future funding.

The Veterans Health Administration (VA) was made fully exempt from the sequestration for all programs administered by the VA. See §255 of the Balanced Budget and Emergency Deficit Control Act (BBEDCA), as amended by Public Law 111–139 (2010). Also exempt are State Medicaid grants, and Medicare payments are held harmless except for a 2 percent reduction for administration of the program. We thus strongly urge the subcommittee to support an amendment to the BBEDCA to fully exempt the IHS from any future sequestration, just as the VA's health programs are exempt.

*Special Diabetes Program for Indians.*—The authorization and funding for the Special Diabetes Program for Indians (SDPI) expires at the end of fiscal year 2015. The SDPI provides crucial funding for diabetes treatment and prevention programs for Alaska Natives and American Indians, among whom diabetes is an epidemic. The SDPI is showing significant outcomes—both in terms of dramatically increased access to treatment and prevention services and for improved blood sugar control and blood lipid levels. The President's fiscal year 2016 budget proposal recommends extending SDPI for 3 years at its current level of \$150 million per year, and we appreciate their advocacy. However, we join with others in Indian Country in recommending a 5-year extension at \$200 million per year. We ask for your support of the efforts to pass such a multi-year extension of the SDPI and that the extension be accomplished as quickly as possible—well in advance of its expiration in Sep-



tember, 2015—so that these indispensable programs can continue to provide uninterrupted care and contracts can be renewed without disruption and loss of expertise.

*BIA Natural Resources Funding.*—The Metlakatla Indian Community has the only reservation (Annette Island Reserve) within the State of Alaska—87,000 acres, plus the marine waters 3,000 feet out from the shorelines of Annette Islands. We did not participate in the Alaska Native Claims Settlement Act (ANCSA), though we were given the opportunity to do so. Instead we communicated to the congressional drafters of ANCSA the need for the reservation to stay intact. As a result, section 19 of ANCSA excludes the Metlakatla Indian Community, thus preserving the Community's trust land and reservation intact.

Today I want to bring to your attention a terrible injustice: the BIA has, for decades, underfunded our natural resource programs. We recently conducted a detailed analysis of not only the funding we currently receive to carry out BIA natural resource programs (\$957,205), but an analysis of the funding necessary to adequately protect the trust assets (our lands, waters, habitat, minerals, and fish and wildlife), and also to steward those trust assets to meeting tribal needs on an ongoing basis. We determined that our BIA natural resource programs require a total funding of \$4,274,731 on an annual basis, which means additional appropriations in the amount of \$3,317,526.

This breaks down as additional funds needed for the Community in the following budgetary accounts: BIA Hatchery Operations (+ \$500,000); Fisheries Management and Development & Wildlife Management and Development (+ \$1,006,068); Forestry (+ \$464,545); Natural Resources General/Administration (+ \$533,369); Other Rights Protection (including water) (+ \$191,709); Mineral Development (+ \$304,372); and Invasive Species Management (+ \$317,463).

We urge the subcommittee to fully fund these needs so that the Community can adequately carry out responsibilities that are critical to ensure that the Community's natural resources programs are adequately funded. I discuss below two of these program areas—Fisheries and Forestry—to greater illustrate all that is involved in carrying out these natural resource programs, the existing inequitable share of these funds that the Community receives in comparison with other tribes in the Northwest, and why this funding is so critical to the Community.

*Fisheries.*—Because State-managed waters surround the reservation's waters, and because there is no court-ordered co-management relationship between the Community and the State, Tribal fisheries must be managed in a way that accounts for the Community's fishing effort, as well as the State's. This must be done without having any influence over the State's management strategies, which, at times, have been preemptive of our subsistence and harvest rights. In order to properly manage our fishery resources, we need to bring our own scientists and resource managers to the table, but have insufficient funding to do so.

We manage the following commercial fisheries (subject to Secretarial approval): *Salmon*—The Community's fishery is the largest tribally managed salmon fishery in the Nation. In fact, the Community annually harvests more salmon than the five top fishing tribes in western Washington combined; *Herring*—we manage the second largest herring stock in southeast Alaska (second only to the Sitka fishery), the largest (almost certainly the only) tribally managed herring fishery in the Nation; *Halibut*—our halibut fishery is comparable to the tribal halibut fisheries in western Washington; and *Dive Fisheries for Sea Cucumber and Geoduck*—Comparable to tribal fisheries in western Washington.

The tribes of western Washington, which conduct fisheries that are most similar to the Community's, also have complex managerial, technical and scientific needs. Yet, their funding, although substantially greater than the Community's, is still inadequate to cover the costs of retaining staff in each of the individual disciplines that, in combination, make up a legitimate fishery management program. However, Congress, through the BIA, makes millions of dollars available to the Northwest Indian Fisheries Commission (NWIFC) for that very purpose. The NWIFC, like the Columbia River Inter-Tribal Fish Commission, is able to draw on economies of scale and consortia staff, so that when tribes meet with the State, or other management authorities, they are supported by expertise that the State cannot ignore. By contrast, the Community not only does not have the funds necessary to hire its own experts, we are also not able to draw upon the expertise of an inter-tribal consortium. Our Tamgas Creek Hatchery is possibly the largest tribally operated hatchery in the Nation, but it inexplicably receives \$0 in the Hatchery Operations line item in the BIA budget, while Oregon and Washington tribes receive substantial funding. Our Community is very much on its own. When considered in this light, the disparity between the fishery management support available to western Washington tribes and the support available to the Metlakatla Indian Community is enormous.

As a result, we are severely handicapped in efforts to protect our fishing rights and conserve our fishery resources.

*Forestry.*—A second example of critically needed funding to meet tribal natural resource program needs is in the forestry program. We receive \$62,000 for our forestry program. This is insufficient funding to hire even one position in the program, let alone plan, design, and implement silvicultural prescriptions, forest harvest, conservation, and wildfire prevention and control strategies on the 21,172 acres of commercial forestland, and 54,197 acres of non-commercial forestland and associated muskeg habitat. Using the formula developed by the IFMAT III team in 2011, the Community's forestry program should receive a minimum of \$646,223.32 in Federal funding in order to ensure forest health and Federal trust obligations are met. We have requested less than this full amount, or only an additional \$464,545.

We are glad to provide any additional information you may request. Thank you for your consideration of our concerns and needs.

[This statement was submitted by Audrey Hudson, *Mayor and Tribal Chair*.]

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PREPARED STATEMENT OF THE THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Chairperson Murkowski, Ranking Member Udall, and members of the subcommittee:

The Metropolitan Water District of Southern California (Metropolitan) encourages the subcommittee's support for the U.S. Bureau of Land Management's (BLM) Subactivity: Soil, Water, and Air Management. This Subactivity includes Colorado River Salinity Control as a primary focus area. For fiscal year 2016, a funding level of \$1.5 million for salinity specific projects is needed in this primary focus area to prevent further degradation of Colorado River water quality and increased downstream economic damages.

The concentrations of salts in the Colorado River cause about \$382 million in damages to water users each year. While this figure is significant, had it not been for the efforts of the Colorado River Basin Salinity Control Program (Salinity Control Program), salinity concentrations of Colorado River water today would have been about 90 milligrams per liter (mg/L) higher, which has avoided additional damages of approximately \$200 million per year.

Metropolitan is the regional water supplier for most of urban southern California, providing supplemental water to retail agencies that serve over 18 million people. Water imported via the Colorado River Aqueduct has the highest level of salinity of all of Metropolitan's sources of supply, averaging around 630 mg/L since 1976, which leads to economic damages. For example, damages occur from:

- A reduction in the yield of salt sensitive crops and increased water use for leaching in the agricultural sector;
- A reduction in the useful life of galvanized water pipe systems, water heaters, faucets, garbage disposals, clothes washers, and dishwashers, and increased use of bottled water and water softeners in the household sector;
- An increase in the cost of cooling operations, and the cost of water softening, and a decrease in equipment service life in the commercial sector;
- An increase in the use of water and the cost of water treatment, and an increase in sewer fees in the industrial sector;
- A decrease in the life of treatment facilities and pipelines in the utility sector;
- Difficulty in meeting wastewater discharge requirements to comply with National Pollutant Discharge Elimination System permit terms and conditions, and an increase in desalination and brine disposal costs due to accumulation of salts in groundwater basins, and fewer opportunities for recycling due to groundwater quality deterioration; and
- Increased cost of desalination and brine disposal for recycled water in the municipal sector.

Concern over salinity levels in the Colorado River has existed for many years. To deal with the concern, the International Boundary and Water Commission signed Minute No. 242, Permanent and Definitive Solution to the International Problem of the Salinity of the Colorado River in 1973, and the President signed into law the Colorado River Basin Salinity Control Act in 1974 (Act). High total dissolved solids in the Colorado River as it enters Mexico and the concerns of the seven Colorado River Basin States regarding the quality of Colorado River water in the United States drove these initial actions. To foster interstate cooperation and coordinate the Colorado River Basin States' efforts on salinity control, the seven Basin States formed the Colorado River Basin Salinity Control Forum.

The salts in the Colorado River system are indigenous and pervasive, mostly resulting from saline sediments in the Basin that were deposited in prehistoric marine environments. They are easily eroded, dissolved, and transported into the river system, and enter the River through both natural and anthropogenic sources.

The Salinity Control Program reduces salinity by preventing salts from dissolving and mixing with the River's flow. Irrigation improvements (sprinklers, gated pipe, lined ditches) and vegetation management reduce the amount of salt transported to the Colorado River. Point sources such as saline springs are also controlled.

The Salinity Control Program, as set forth in the Act, benefits the Upper Colorado River Basin water users through more efficient water management, increased crop production, benefits to local economies through construction contracts, and through environmental enhancements. The Salinity Control Program benefits Lower Basin water users, hundreds of miles downstream from salt sources in the Upper Basin, through reduced salinity concentration of Colorado River water. California's Colorado River water users are presently suffering economic damages in the hundreds of millions of dollars per year due to the River's salinity.

The Act provides that the Secretary of the Interior shall "develop a comprehensive program for minimizing salt contributions to the Colorado River from lands administered by the Bureau of Land Management." BLM is the largest landowner in the Colorado River Basin. Due to geological conditions, much of the lands that are controlled and managed by the BLM are heavily laden with salt. Past management practices have led to human-induced and accelerated erosion processes from which soil and rocks, heavily laden with salt have been deposited in various stream beds or flood plains. As a result, salts are dissolved into the Colorado River system causing water quality problems downstream.

Congress has charged Federal agencies, including the BLM, to proceed with programs to control the salinity of the Colorado River. BLM's rangeland improvement programs can lead to some of the most cost-effective salinity control measures available. These measures significantly complement programs and activities being considered for implementation by the U.S. Bureau of Reclamation through its Basin-wide Program and by the U.S. Department of Agriculture through its on-farm Environmental Quality Incentives Program.

Over the past years, the Salinity Control Program has proven to be a very cost effective approach to help mitigate the impacts of increased salinity in the Colorado River. Continued Federal funding of this important Basin-wide program is essential.

Metropolitan encourages the subcommittee's support for sufficient funding in the Subactivity: Soil, Water, and Air Management to allow for general water quality improvement efforts in the Colorado River Basin and \$1.5 million for salinity specific projects in 2016. This amount is needed to prevent further degradation of the quality of the Colorado River and increased downstream economic damages.

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#### PREPARED STATEMENT OF THE MINERALS SCIENCE AND INFORMATION COALITION

Thank you for the opportunity to submit written testimony on the importance of minerals science and statistical information to the economy and national security. The Minerals Science and Information Coalition (MSIC), an ad hoc group representing both upstream and downstream minerals interests, respectfully submits this testimony in favor of increased funding for the Mineral Resources Program in the U.S. Geological Survey (USGS).

MSIC and its members are united in support of minerals science and information functions in the Federal Government. Minerals and their materials form the basis of critical infrastructure and advanced technologies upon which we rely. The United States is the world's largest user of mineral commodities. Aggregates for bridges and roads, metals for pipelines and transportation, and elements for computers and defense systems contribute to our national security, economy, and overall global competitiveness. Despite our dependence on these materials, the U.S. has not invested the necessary funds in programs to identify and characterize our mineral wealth and quantify the domestic and global supply of, demand for, and flow of minerals and mineral materials. The Nation lacks the infrastructure necessary to support advanced mineral forecasting, leaving important supply chains susceptible to disruptions. Increased Federal investments in minerals science and research are necessary to overcome this liability. MSIC supports the President's request of \$47.7 million for the USGS Mineral Resources Program, but suggests that new investments be made in the USMIN Project to continue development of a comprehensive minerals database and the National Minerals Information Center (NMIC) to create minerals forecasting capabilities.

NMIC is the world's premier source of statistical information on current production and consumption of mineral commodities for more than 180 countries. U.S. manufacturers and financial firms, as well as Federal, State, and local agencies, such as the Department of Defense, the Department of State, and the Department of Transportation use this information as a guide to economic and strategic decision-making. The ability to accurately forecast minerals' availability ahead of supply disruptions for these vital organizations is currently nonexistent. By comparison, in fiscal year 2015, the Energy Information Administration (EIA) received \$117 million for energy information and forecasting, whereas the budget for minerals information at USGS was \$15 million with no provision for minerals forecasting. NMIC's information gathering and analysis functions must be strengthened in fiscal year 2016, and it is essential that new money be provided to fund minerals forecasting.

MSIC notes the success of the Critical Materials Institute (CMI) at the Ames National Laboratory and suggests equal investments be made in upstream minerals information and research. The CMI is tasked with creating alternatives to and streamlining the efficiency of materials that are vulnerable to supply disruptions, including rare earth elements. This one-sided approach to supply chain management ignores the critical upstream research and analysis necessary to identify these high-risk resources in the first place. Additionally, there is little point in developing new materials if we cannot supply the raw materials to manufacture them. The USGS is uniquely positioned to provide the up-to-date forecasts on potential mineral disruptions and to provide the essential geological research and information to help locate and characterize sources of critical minerals. MSIC suggests the creation of a Critical Minerals initiative within the USGS to complement DOE's Critical Materials Institute.

We support \$25 million per year to fund a Critical Minerals initiative at USGS. Federal investment in critical mineral resources should, at a minimum, match Federal investment in critical materials.

Thank you for the opportunity to present this testimony to the subcommittee.

Sincerely,

Aluminum Association; American Exploration & Mining Association;  
American Geosciences Institute; American Physical Society; Associated Equipment Distributors; Industrial Minerals Association—North America; Materials Research Society; Mining & Metallurgical Society of America; National Electrical Manufacturers Association; National Mining Association; National Stone, Sand and Gravel Association; The Pennsylvania Bureau of Topographic and Geologic Survey; Society of Economic Geologists; and Society for Mining, Metallurgy, and Exploration.

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PREPARED STATEMENT OF SENATOR PATTY MURRAY

UNITED STATES SENATE,  
Washington, DC, April 27, 2015.

Hon. LISA MURKOWSKI, *Chairman,*  
*Subcommittee on Interior, Environment and Related Agencies, Senate Appropriations Committee, Senate Dirksen Office Building, Room 131, Washington, DC, 20150*

Hon. TOM UDALL, *Ranking Member,*  
*Subcommittee on the Interior, Environment and Related Agencies, Senate Appropriations Committee, Senate Hart Office Building, Room 125, Washington, DC, 20510*

Dear Chairman Murkowski and Ranking Member Udall:

I thank you for your support of important projects that have made a real difference in the lives of millions of people in Washington State, the Pacific Northwest, and the United States. As the subcommittee prepares to write the fiscal year 2016 Interior, Environment and Related Agencies Appropriations bill, I ask for your support of projects important to Washington State and the Nation. I have outlined my requests for fiscal year 2016 in priority order, and provide brief descriptions below.

|           |                                       |
|-----------|---------------------------------------|
| Agency:   | Environmental Protection Agency       |
| Account:  | Environmental Programs and Management |
| Program:  | Geographic Programs                   |
| Activity: | Puget Sound                           |

FY2016 Request: \$30 million with an increase above the President's Budget as possible  
 FY2016 PB: \$30 million  
 Rationale:

This funding is requested to provide continued Federal leadership while supplementing State and local efforts to implement Washington State's Puget Sound Action Agenda. The President's Budget Request provides a slight increase from funding provided by the fiscal year 2015 Consolidated and Further Continuing Appropriations Act; however, additional investment is still required to return Puget Sound funding to historical levels, and I respectfully request additional funding as may be available. Puget Sound recovery and restoration is critical to my State, to the Pacific Northwest region, and to the country as a whole. A healthy Puget Sound plays an essential role in the region's economy and is important to the environmental and economic future of my State. Healthy waters and tributaries are essential to the recovery of several Endangered Species Act-listed salmon populations and the protection of tribal treaty rights. This request is my highest priority in the Interior, Environment, and Related Agencies Appropriations bill.

Agency: USDA U.S. Forest Service  
 Account: Capital Improvement and Maintenance  
 Program/Activity: Legacy Roads and Trails  
 FY2016 Request: \$40 million  
 FY2016 PB: \$0 (Consolidated into Integrated Resource Restoration)  
 Rationale: The Legacy Roads and Trails program provides funding for maintenance and decommissioning work on Forest Service roads in the Pacific Northwest and across the Nation. This program funds projects to combat water quality issues. It is critical to my home State of Washington, where it plays an important role enhancing and improving habitat for salmon, steelhead, and bull trout species while supporting good paying jobs in rural areas. The Forest Service's road system vastly outstrips the available funding for maintenance and repair, and Legacy Roads and Trails has successfully decommissioned no longer needed roads that otherwise result in habitat blockages and water quality issues.

Agency: USDA U.S. Forest Service  
 Account: State and Private Forestry  
 Program/Activity: Forest Legacy  
 FY2016 Request: Highest level possible  
 FY2016 PB: \$61 million  
 Rationale: The Forest Legacy program is an important, voluntary tool helping individuals protect some of America's unique landscapes. Forest Legacy provides Federal support to preserve private forests as working timber lands, thereby supporting jobs in rural communities, wildlife habitat, recreation opportunities, and water quality. Funding the Forest Legacy program at the highest level possible will allow adequate funds to be made available for important projects in my home State, including the Mount St. Helens Forest Project Phase 2. Without the support of the Forest Legacy program, these lands could be at risk of development, resulting in long-term impacts to future generations.

Agency: Bureau of Indian Affairs  
 Account: Operation of Indian Programs

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| Program:        | Trust—Natural Resources Management   |
| Activity:       | Rights Protection Implementation   |
| FY2016 Request: | Highest level possible   |
| FY2016 PB:      | \$40.1 million   |
| Rationale:      | Rights Protection Implementation funding supports the off-reservation hunting, fishing, and gathering rights of 49 federally-recognized tribes, including several in Washington State. This funding also supports the implementation of court orders and the co-management of treaty-protected fishing rights by intertribal organizations, which is especially important to Washington State tribes who have taken on increasing responsibilities in fisheries management without a corresponding increase in funding. Within this activity, I especially support the President's request for Western Washington Fisheries Management, the Washington State Timber Fish and Wildlife Project, Columbia River Fisheries Management, the U.S.-Canada Pacific Salmon Treaty Implementation, Salmon Marking, and Youth Initiatives. |

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| Agency:         | National Park Service   |
| Account:        | Land Acquisition and State Assistance   |
| FY2016 Request: | Highest level possible  |
| FY2016 PB:      | \$153.7 million   |
| Rationale:      | The Land and Water Conservation Fund's (LWCF) land acquisition funding is an important tool to protect some of America's most treasured landscapes. LWCF projects preserve land and enhance recreational activities including hiking, hunting, and angling, which stimulate rural economies and support thriving outdoor recreation industries in Washington, Alaska, New Mexico, and other States. This account has previously supported important projects in Washington State and robust funding this year would support the purchase of land within Ebey's Landing National Historical Reserve. I am a cosponsor of legislation to permanently reauthorize LWCF and expect Congress will address this reauthorization effort. I commend the President for advocating a switch to mandatory funding of LWCF, and as authorizing committees consider reauthorization, I support any additional funding the subcommittee can provide to all LWCF streams in this constrained fiscal environment. |

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| Agency:           | USDA U.S. Forest Service         |
| Account:          | Land Acquisition                 |
| Program/Activity: | Land and Water Conservation Fund |
| FY2016 Request:   | Highest level possible           |
| FY2016 PB:        | \$63 million                     |

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| Rationale:        | The Land and Water Conservation Fund's (LWCF) land acquisition funding is an important tool to protect some of America's most treasured landscapes. LWCF projects preserve land and enhance recreational activities including hiking, hunting, and angling, which stimulate rural economies and support thriving outdoor recreation industries in Washington, Alaska, New Mexico, and other States. This account previously supported critical projects in Washington State and the President's request this year includes efforts in my State to consolidate ownership of the Okanogan-Wenatchee National Forest checkerboard lands. I am a cosponsor of legislation to permanently reauthorize LWCF and expect Congress will address this reauthorization effort. I commend the President for advocating a switch to mandatory funding of LWCF, and as authorizing committees consider reauthorization, I support any additional funding the subcommittee can provide to all LWCF streams in this constrained fiscal environment. |
| Agency:           | Environmental Protection Agency   |
| Account:          | Environmental Programs Management   |
| Program/Activity: | National Estuary Program  |
| FY2016 Request:   | Highest level possible, with language specifying \$600,000 per NEP  |
| FY2016 PB:        | \$27.3 million  |
| Rationale:        | The Clean Water Act of 1987 authorized 28 local National Estuary Programs (NEPs), two of which are in Washington State—Puget Sound and the Lower Columbia River Estuary Partnership. These NEPs protect nationally significant estuaries by bringing together diverse parties to identify problems, define actionable steps, and implement actions. NEP funds are critical to my home State and enhance opportunities to secure additional project-specific grants in areas including habitat restoration, toxics reduction, and environmental education. I am particularly supportive of language to specify the direction of \$600,000 per NEP.   |
| Agency:           | USDA U.S. Forest Service  |
| Account:          | National Forest System  |
| Program/Activity: | Collaborative Forest Landscape Restoration Program  |
| FY2016 Request:   | \$60 million  |
| FY2016 PB:        | \$60 million  |
| Rationale:        | The Collaborative Forest Landscape Restoration Program supports forest and watershed restoration projects that ultimately reduce wildfire suppression costs, create jobs, improve forest and watershed health, and leverage non-Federal investments. In my home State of Washington, Collaborative efforts have been successful in bringing together diverse parties to support, restore, and enhance habitat, reduce risk to communities, and support the local economy. Robust funding will enable the Forest Service to select and implement additional high-priority projects across the country, thereby making communities and forests safer, healthier, and more resistant to climate change.  |
| Agency:           | United States Geological Survey   |
| Activity:         | Natural Hazards   |
| Subactivity:      | Earthquake Hazards  |
| FY2016 Request:   | \$70 million  |
| FY2016 PB:        | \$57.5 million  |

**Rationale:** Millions of Americans live within fault zones and are therefore subject to the potentially devastating impacts of an earthquake, from loss of life to economic losses and building damage. Unfortunately, earthquakes come with little advance notice and therefore put millions of dollars of economic activity, as well as millions of lives, at risk. An increase in this account would help fund earthquake early warning research and development, which is important for natural disasters such as these with mere minutes for response. Robust funding is essential to support the construction, operation, and maintenance costs of an early warning system to benefit millions of Americans, particularly along the entire West Coast where many major fault lines exist, without leaving one region of the coastline at greater risk than other parts.

*Bill Language Request—Earthquake Hazards*

“[overall USGS funding for fiscal year 2016], of which \$70,000,000 shall be available for the Earthquake Hazards Program: Provided, \$16,100,000 shall be available for initiating implementation of an earthquake early warning system in regions at greatest risk.”

*Report Language Request—Earthquake Hazards*

*“Earthquake Hazards.*—The Committee supports efforts to continue developing an earthquake early warning prototype system on the West Coast. The Committee is concerned about the lack of knowledge and real-time instrumentation available for the Cascadia subduction zone. Our scientific understanding of earthquakes and the ocean environment will benefit from the wealth of offshore data collected and the continued development of an early earthquake warning system for the Cascadia system to help prepare for and mitigate the negative human and economic impacts to the Pacific Northwest like those felt by Japan in 2011.”

*Problem.*—Earthquakes have enormous potential to cause catastrophic casualties, damage, economic loss, and disruption. Many urbanized areas across the country, including in the Pacific Northwest, Alaska, and California, are at particular risk of significant damage to human health and property should a significant earthquake hit. Research is ongoing to develop earthquake early warning systems in order to provide seconds to minutes of advance notice before an earthquake or earthquake-triggered tsunami hits, which could play an important role in human health and property protection, resulting in significant benefits to hospitals, transportation systems, manufacturing activities, and potentially limiting loss of life or damage. Increased funding is necessary to improve the Advanced National Seismic System and implement earthquake early warning systems for regions at greatest risk. The bill and report language provided above would address these issues and support this activity.

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| <b>Agency:</b><br><b>Account:</b><br><b>Program:</b><br><b>FY 2016 Request:</b><br><b>FY2016 PB:</b><br><b>Rationale:</b> | Bureau of Indian Affairs<br>Operation of Indian Programs<br>Tribal Management Development Program<br>Highest funding possible<br>\$14.3 million<br>Funding through the Tribal Management Development Program helps tribes fulfill Federal mandates in natural resource management on trust land and supports tribal self-determination in deciding which priority projects to fund. With this funding, tribes employ law enforcement officers on Washington State’s Lake Roosevelt and its shoreline to enforce Federal laws and tribal health and safety laws. This funding also supports the protection, restoration, and management of fish and wildlife and their habitats. Without this funding, tribal participation in processes and activities including permitting, hydropower operations, and fish and wildlife program implementation would be hamstrung. I am particularly supportive of robust funding for Tribal Management Development Program funding for Lake Roosevelt, Yakama, and the Upper Columbia United Tribes. |
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*USGS Natural Hazards Report Language*

*“Natural Hazards.”*—The Committee is concerned that the lahar warning system on Mount Rainier, Washington, monitors only two of the six river valleys off the mountain and that the technology has reached its ‘end of life.’ A population of nearly 3 million and associated property lives within the drainages of Mount Rainier’s six river valleys and the Committee applauds the joint efforts to protect life and property that begun in 1998 by the United States Geological Survey’s Cascades Volcanic Observatory and the Pierce County Management Department. These efforts should continue until all six impacted river valleys achieve the same level of coverage. Recognizing Mount Rainier as the most dangerous active volcano in North America, and the real possibility of a lahar event, the Committee urges the Survey to replace and expand the lahar warning system. This update must cover all six river valleys off Mount Rainier and employ the necessary up-to-date technology and systems to adequately monitor, detect, alert, and warn of a lahar event. Such a project will greatly complement the near and long term plans of the Survey for providing natural hazard detection and warning systems on the West Coast.”

*Problem.*—In 1998, the Pierce County Department of Emergency Management and United States Geological Survey Cascades Volcanic Observatory began a pilot project for a Mount Rainier lahar warning system. The existing system currently monitors only two of the six river valleys potentially impacted by a Mount Rainier lahar event. According to USGS, Mount Rainier is the most dangerous active volcano in North America. Approximately 3 million people, as well as approximately \$13 billion in buildings and land value, could be impacted by a catastrophic lahar flow in Mount Rainier’s six river valleys. Pierce County, in partnership with USGS, other Federal agencies, the State of Washington, and impacted counties King, Lewis, and Thurston, seek to replace the outdated and limited lahar warning system with the installation of technology to monitor, detect, alert, and warn of lahar events in any of the six river valleys.

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| Agency:         | Department of Health and Human Services  |
| Account:        | Indian Health Service  |
| Program:        | Urban Indian Health  |
| FY2016 Request: | Highest level possible, with dedicated facility needs funding  |
| FY2016 PB:      | \$44 million   |
| Rationale:      | The Indian Health Service (IHS) was created in 1979, and funding for urban Indian health has consistently represented approximately 1 percent of the overall IHS appropriation. Since that time, however, the population of Indians moving to cities has steadily increased, with the 2010 census finding that approximately 70 percent of the 5.2 million Americans self-identifying as American Indian or Alaska Native (either alone or in combination with another race) living in cities. There are 34 Urban Indian Health Centers across the country, including one in my home State of Washington. These centers provide culturally appropriate health services such as primary care, outreach, and referral services to many Native Americans. Many of these facilities are in need of repairs and renovations but have been hamstrung by limited resources. I support additional funding as available for facility needs. |

*Legacy Roads and Trails Report Language*

*“Legacy Roads and Trails.”*—The Committee retains the Legacy Roads and Trails Remediation program as a separate budget line item for fiscal year 2016 in order to ensure these funds are targeted to support Forest Service road improvements and decommissioning in locations with the greatest need. This program has improved the Forest Service’s ability to address problems associated with its extensive and aging road system, but the Committee is concerned that the funds are not being allocated in a manner proportionate to the distribution of roads in need of attention across the system and directs the Forest Service to direct funds to regions most in need of road remediation.”

*Problem.*—The U.S. Forest Service (USFS) road system was built decades ago to support large-scale timber harvest, and the USFS is now burdened with a road system larger than can effectively be managed. This expansive system negatively impacts water quality and wildlife habitat across the country. The Legacy Roads and

Trails Remediation (LRT) program was created in fiscal year 2008 to help the USFS make targeted progress in addressing problems associated with this aging infrastructure. In addition to improved habitat and better water quality for downstream communities, LRT supports good-paying jobs in rural areas that have been impacted by decreased timber harvests. LRT funds have successfully been used to maintain and improve roads still needed for resource extraction or recreation, while decommissioning those that are no longer needed. Right-sizing the USFS road system helps reduce the fiscal and environmental burden of roads while allowing better, more reliable access to the Forest system for recreators. USFS Region 6 (Oregon and Washington) contain approximately a quarter of the Nation's USFS road miles, but the Region received only 16 percent of appropriated LRT dollars in fiscal year 2014. The inclusion of this language in the fiscal year 2015 Appropriations bill helped direct proportional funds to Region 6, and retaining this language will ensure continued targeting of funds to regions of greatest need.

Agency: U.S. Fish and Wildlife Service  
 Account: Land Acquisition  
 FY2016 Request: Highest level possible  
 FY2016 PB: \$58.5 million  
 Rationale: The Land and Water Conservation Fund's (LWCF) land acquisition funding is an important tool to protect some of America's most treasured landscapes. LWCF projects preserve land and enhance recreational activities including hiking, hunting, and angling, which stimulate rural economies and support thriving outdoor recreation industries in Washington, Alaska, New Mexico, and other States. This account has previously supported important projects in Washington State. I am a cosponsor of legislation to permanently reauthorize LWCF and expect Congress will address this reauthorization effort. I commend the President for advocating a switch to mandatory funding of LWCF, and as authorizing committees consider reauthorization, I support any additional funding the subcommittee can provide to all LWCF streams in this constrained fiscal environment.

Agency: U.S. Fish and Wildlife Service  
 Account: Resource Management  
 Activity: Habitat Conservation  
 Subactivity: Partners for Fish and Wildlife  
 FY2016 Request: \$52.4 million  
 FY2016 PB: \$52.4 million  
 Rationale: Partners for Fish and Wildlife supports voluntary and community-based efforts to improve fish and wildlife conservation on private land. In Washington State, these funds support collaborative partnerships with Federal, State, and local agencies, tribes, businesses, citizen groups, and landowners to enhance, restore, assess, educate, and conduct monitoring projects on many important efforts, including salmon recovery. With a relatively small Federal investment, Partners for Fish and Wildlife recipients are able to leverage impressive sums to make significant habitat improvements and support good-paying jobs. I support the President's funding request, with particular focus on existing programs proven to be effective.

Agency: USDA U.S. Forest Service  
 Account: Wildland Fire Management  
 FY2016 Request: \$2.354 billion  
 FY2016 PB: \$2.354 billion

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| Rationale:        | In 2014, the Carlton Complex Fire burned over 256,000 acres, making it the largest fire by acres burned in Washington State history. Washington State, particularly east of the Cascade mountain range, is consistently under threat of devastating wildland fires, and given the increasing risk, regularity, and severity of wildland fires, I am supportive of the President's Request for Wildland Fire Management. Within this account, I am particularly supportive of the request of \$78 million for State Fire Assistance, which is an important tool to help State, local, and private landowners prepare for and respond to wildfires. I am especially concerned with the President's request to reduce the Hazardous Fuels account, and encourage the Committee to retain funding at the fiscal year 2015 enacted level of \$361.749 million. Reduction of hazardous fuel loads, paid for by this funding, plays an important role in reducing the risk of wildland fires, and therefore warrants sustained funding as we grapple with massive fires across the West. |
| Agency:           | USDA U.S. Forest Service  |
| Account:          | State and Private Forestry  |
| Program/Activity: | International Forestry  |
| FY2016 Request:   | Highest level possible  |
| FY2016 PB:        | \$4.004 million   |
| Rationale:        | Illegal logging activities result in an annual loss of approximately \$1 billion to U.S. forestry industries as American businesses are undersold by cheaper illegal supply. The U.S. Forest Service Office of International Programs (FSIP) represents the U.S. forest products industry in international trade agreements, while also providing expertise to the U.S. Department of State and the Office of the U.S. Trade Representative. FSIP plays an important role working to level the international playing field for U.S. timber producers, advancing U.S. forestry interests, protecting the U.S. from invasive species that could damage our forests, and providing unique perspective pertaining to our national security. I appreciate the subcommittee's commitment to FSIP and was pleased the President returned this important program to his budget request this year, and I support continued funding for International Forestry at the highest level possible.   |
| Agency:           | Department of the Interior  |
| Account:          | Operation of the National Park System   |
| Program/Activity: | Manhattan Project National Historical Park  |
| FY2016 Request:   | \$180,000   |
| FY2016 PB:        | \$180,000   |

Rationale: The Manhattan Project National Historical Park tells an important story in our Nation's history: the development and production of the technology and materials necessary to create the world's first atomic bomb. The facilities and stories of the Manhattan Project will keep the history alive of millions of Americans whose work was essential to the World War II effort. Creation of the Manhattan Project National Historical Park was a bipartisan effort over several Congresses, with final passage secured as part of the fiscal year 2015 National Defense Authorization Act. The new Park will have locations in Hanford, Washington, Los Alamos, New Mexico, and Oak Ridge, Tennessee. It will be administered and operated in conjunction with the Department of Energy, which has primary Federal responsibility for the cleanup of these sites. As we prepare for the National Park Service centenary year and this new Park Unit becomes operational, I support funding at the highest level possible for this and other Park units.

Additionally, I support funding at the highest possible level for the following programs:

- National Park Service
- EPA—State and Tribal Assistance Grants—Drinking Water State Revolving Fund
- EPA—State and Tribal Assistance Grants—Clean Water State Revolving Fund
- BIA—Public Safety and Justice—Law Enforcement
- BIA—Trust—Natural Resources Management—Cooperative Landscape Conservation
- FWS—Ecological Services Habitat Conservation—Coastal Programs
- USFS—State and Private Forestry—Economic Action Program: Economic Development Grant Program
- Capital Improvements and Maintenance (U.S. Forest Service and Bureau of Land Management)
- FWS—Fish and Aquatic Conservation—Aquatic Invasive Species
- National Park Service—Historic Preservation Fund
- BIA—Contract Support
- EPA—General Assistance Program
- EPA—Diesel Emissions Reduction Grants Program
- EPA—Environmental Programs and Management—Technical Assistance Competitive Grant Program
- FWS—Resource Management—Fish and Aquatic Conservation—National Fish Hatchery Operations
- USFS—Research and Development—USDA Forest Products Laboratory—Forest Products Advanced Utilization
- BIE—Tribally Controlled Colleges and Universities
- USGS—Natural Hazards—Global Seismographic Network
- Multinational Species Conservation Fund
- North American Wetlands Conservation Act
- EPA—Environmental Education Grants
- National Endowment for the Arts
- National Endowment for the Humanities
- FWS—National Wildlife Refuge System
- USGS—Surveys, Investigations and Research, Water Resources—Water Resources Research Act Program

I encourage you to oppose the inclusion of policy riders related to activities by the agencies under your jurisdiction in the Interior, Environment, and Related Agencies Appropriations bill. I thank you and the subcommittee in advance for your assistance and look forward to working with you as we begin the fiscal year 2016 appropriations process.

I understand and appreciate the subcommittee's previous efforts to use the Appropriations process as a vehicle to provide a long-term solution to wildfire disaster funding and I support continued efforts, through the Appropriations process or other vehicles, to complete this goal. The long-term practice of fire-borrowing is unsustainable and I support the equitable treatment of wildland fire disasters with other forms of natural disaster funding.

Sincerely,

PATTY MURRAY,  
*United States Senator.*

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PREPARED STATEMENT OF THE NATIONAL ASSOCIATION OF ABANDONED MINE LAND PROGRAMS

My name is Eric Cavazza and I serve as the Director of the Bureau of Abandoned Mine Reclamation within the Pennsylvania Department of Environmental Protection. I am providing this statement on behalf of the National Association of Abandoned Mine Land Programs (NAAML), for which I currently serve as President. The NAAML represents 31 States and tribes, of which 28 implement federally approved abandoned mine land reclamation (AML) programs authorized under Title IV of the Surface Mining Control and Reclamation Act (SMCRA). As you know, Title IV of SMCRA was amended in 2006 and significantly changed how State and tribal AML grants are funded. These grants are still based on receipts from a fee on coal production, but beginning in fiscal year 2008, the grants are funded primarily by mandatory appropriations. As a result, the States and tribes should receive \$209 million in fiscal year 2016. In its fiscal year 2016 proposed budget, the Office of Surface Mining (OSM) is requesting \$385 million for State and tribal AML grants (which includes \$200 million of new funding for the President's Power Plus Plan), an increase of \$176 million. OSM's budget also includes five legislative proposals, the first of which would eliminate funding to States and tribes that have "certified" completion of their highest priority abandoned coal reclamation sites (a reduction of \$24.4 million in fiscal year 2016); the second of which would return the AML reclamation fee paid by coal operators to pre-2006 levels; the third of which would establish a hardrock AML fee and accompanying program; the fourth of which would provide enhanced payouts to the United Mine Workers pension funds; and the fifth of which would accelerate the distribution of grant funds for a portion of the remaining unappropriated balance in the AML Trust Fund to target the cleanup and redevelopment of eligible lands and waters (an additional \$200 million in fiscal year 2016).

Over the past 35 years, the accomplishments of the States and tribes under the AML program have resulted in tens of thousands of acres of abandoned mine lands having been reclaimed, thousands of mine openings having been closed, many streams having been restored from the adverse impacts of acid mine drainage, hundreds of mine fires having been extinguished, thousands of homes, schools and businesses having been stabilized from the adverse impacts of mine subsidence and landslides, and safeguards for people, property and the environment having been put in place. Additionally, potable drinking water supplies have been re-established for tens of thousands of citizens in areas where groundwater and water wells have been contaminated or diminished by mining. Be assured that States and tribes continue to be committed to address the unabated hazards at both coal and non-coal abandoned mines. We are united in achieving the goals and objectives as set forth by Congress when SMCRA was first enacted—including protecting public health and safety, enhancing the environment, providing employment, and adding to the economies of communities impacted by past coal and noncoal mining. In this regard, a recently updated "Safeguarding, Reclaiming, Restoring" accomplishments report prepared by State and tribal administrators of AML programs under SMCRA is available on the NAAML Web site (<http://naaml.net/documents/>), which provides several on-the-ground examples of the type of work that is being done around the country.

When passed in 1977, SMCRA set national regulatory and reclamation standards for coal mining. The Act also established a Reclamation Trust Fund to work towards eliminating the innumerable health, safety and environmental problems that existed throughout the Nation from mines that were abandoned prior to the Act. The Fund generates revenue through a fee on current coal production. This fee is collected by OSM and distributed to States and tribes that have federally approved regulatory and AML programs. The promise Congress made in 1977, and with every subsequent amendment to the Act, was that, at a minimum, half the money generated from fees collected by OSM on coal mined within the boundaries of a State or tribe,

referred to as the “State Share”, would be returned for the uses described in Title IV of the Act if the State or tribe assumed responsibility for regulating active coal mining operations pursuant to Title V of SMCRA. The 2006 Amendments clarified the scope of what the State Share funds could be used for and reaffirmed the promise made by Congress in 1977.

If a State or tribe was successful in completing reclamation of abandoned coal mines and was able to “certify” under Section 411 of SMCRA,<sup>1</sup> then the State Share funds could be used to address a myriad of other abandoned mine issues as authorized by SMCRA and as further defined under each State’s or tribe’s Abandoned Mine Reclamation Plan, each of which is approved by OSM. Like all abandoned mine reclamation, the work of certified States and tribes eliminates health and safety problems, cleans up the environment, and creates jobs in rural areas impacted by mining. In this regard, the certified States and tribes have been good stewards of the AML funds they receive, especially with regard to addressing dangerous non-coal mines.

The legislative proposal to eliminate funding for certified State and tribal AML grants not only breaks the promise of State and Tribal Share funding, but upsets the balance and compromise that was achieved in the comprehensive restructuring of SMCRA accomplished by the 2006 Amendments following more than 10 years of discussion and negotiation by all affected parties. The funding reduction is inconsistent with the administration’s stated goals regarding jobs and environmental protection. We therefore respectfully ask the subcommittee to support continued funding for certified States and tribes at the statutorily authorized levels, and turn back any efforts by OSM to amend SMCRA in this regard.<sup>2</sup>

OSM’s budget includes several new discretionary funding requests related to the AML program under Title IV of SMCRA. The first would provide funding and additional FTE’s to evaluate AML program implementation, including “identifying more effective and efficient tools for AML site identification, contract management and program oversight”. Part of this funding will be used to review the current projects in the Abandoned Mine Land Inventory System (AMLIS) given the date when they were originally entered into AMLIS. While we see this as a potentially useful exercise, especially as we look toward reauthorization of the program prior the expiration of fee collection authority in 2021, we believe it is critical that OSM coordinate any such efforts with State AML program managers given that much of the inventory data and information resides with the States (and can often be updated more effectively by syncing AMLIS with State AML inventories which are generally more up to date and accurate). A portion of this increased funding is also targeted at program oversight. Frankly, we are unaware of any significant problems with the States’ and tribes’ administration of their respective AML programs and therefore believe OSM should spend this funding on more useful and productive initiatives related to overall program improvements. For instance, we believe the proposed increase in funding for applied science projects related to AML work is justified.

One of the more effective mechanisms for accomplishing AML restoration work is through leveraging or matching other grant programs, such as EPA’s 319 program. In fiscal year 2014, language was included in OSM’s appropriation that encouraged the use of these types of matching funds, particularly for the purpose of environmental restoration related to treatment or abatement of acid mine drainage (AMD) from abandoned mines. This is an ongoing, and often expensive, problem, especially in Appalachia. NAAML therefore requests that the subcommittee once again include language in the fiscal year 2016 appropriations bill that would allow the use of AML funds for any non-Federal cost-share required by the Federal Government for AMD abatement.

We also urge the subcommittee to support increased funding for OSM’s training program and TIPS, including moneys for State/tribal travel. These programs are central to the effective implementation of State and tribal AML programs as they provide necessary training and continuing education for State/tribal agency personnel, as well as critical technical assistance. We also strongly support funding for

<sup>1</sup> While a certified State or tribe confirms at the time of certification that it has completed all of the coal sites on its current inventory, the certification contemplates that new, formerly unidentified high priority coal AML sites may occur in the future and the State/tribe commits to addressing these sites immediately. All AML States and tribes, including those that are certified, have identified additional previously unknown high priority coal sites as a result of ongoing field investigations, new information and features that have been expressed to the surface. The State of Montana alone spent \$8.5 million on coal projects (80 percent of the annual grant) in fiscal year 2014.

<sup>2</sup> In this regard, we should note that funding to certified States and tribes was already capped at \$15 million annually pursuant to an amendment to SMCRA as part of the Moving Ahead for Progress in the 21st Century Act (Public Law 112–14) in 2012.

the Watershed Cooperative Agreements in the amount of \$1.5 million because it facilitates and enhances State and local partnerships by providing direct financial assistance to watershed organizations for acid mine drainage remediation.

Among the legislative proposals contained in OSM's proposed budget, two deserve special attention. The first is a proposal to "Revitalize Communities Impacted by Abandoned Mine Lands," which would be accomplished by dispersing \$1 billion from the AML Fund over 5 years for the purpose of reclamation that "facilitates sustainable revitalization." While the States are supportive of the spirit of this proposal and have in fact designed many projects around these types of purposes using local contractors whenever the opportunities and partnerships exist, we cannot support a programmatic change of this magnitude without a better understanding of the specifics of how it will be implemented. The success of such an endeavor, as well as the States' support for it, is highly dependent on robust consultation between OSM and State AML program managers. At this juncture, the States are concerned that the proposal could have negative ramifications for the overall remediation of AML hazards and thus public health and safety. Additionally, such projects rely on a combination of partnerships, infrastructure and other factors to sustain them into the future once the AML reclamation is completed. Depending on how the proposal is implemented, the addition of "economic eligibility factors" to existing site selection criteria could potentially divert some amount of funding away from the highest priority AML sites. In this regard, it should be kept in mind that the \$1 billion of AML Fund money which would be repurposed by the proposal is already slated for dispersal to the States under the allocation system and site prioritization method ordained by Congress in the 2006 amendments to SMCRA—and primarily for remaining high priority AML projects.

With respect to this legislative proposal and as a further expansion of it, OSM has proposed a new discretionary funding amount of \$2 million to support "OSM technical assistance to States and communities to plan coordinated reclamation projects of abandoned coal mines and mine drainage, as well as area-wide planning to help target reclamation projects that facilitate beneficial post-reclamation land use and sustainable revitalization in economically depressed coalfield communities". While this funding justification gives us a bit more of the picture about the \$1 billion Power Plus proposal, it still leaves many of our questions unanswered and as such we are uncertain of exactly how OSM intends to actually spend this money. To the extent that it can be used to accelerate the completion of priority projects on AMLIS and create jobs, we believe we can work cooperatively with OSM to make that happen given the current structure of the AML program under Title IV. To the extent it expands into untested waters that require adjustments to the current statutory mandates, we must be more circumspect in our support, as noted above. Until we learn more about how AML moneys can appropriately be spent to "help diversify the economy of coal country" without impinging on mandated high priority reclamation, the jury is still out on the proposal's feasibility and legality.

OSM's budget proposal also includes a legislative proposal that would require a massive transfer of \$363.4 million from the Treasury to various components of the UMWA Health and Retirement Funds. The States recognize the importance of this issue and are supportive of efforts to ensure the long-term solvency of the UMWA Pension Funds. However, the States believe that this issue should be pursued as part of a more comprehensive AML reauthorization package given the overall implications for the AML program. In this regard, the States are concerned that this significant dispersal of Treasury funds would trigger the application of the \$490 million cap on transfers from the Treasury vis-à-vis mandatory Treasury payments to the States for AML work. An analysis of OSM's proposed budget demonstrates that the combination of this transfer to the UMWA Funds along with the mandatory AML program transfers to States, including funding for certified States and tribes that we request be continued, would exceed the \$490 million cap.

With regard to the proposal contained in OSM's budget to establish a hardrock AML program, the States and tribes are well aware of the need to address historic hardrock AML problem areas, which initially began with the inclusion of Section 409 of SMCRA in 1977. There is clearly a need to establish both the funding mechanism and the administrative program to address these legacy sites. We believe that OSM is in the best position to administer this program, given its 35 years of experience in operating the Title IV program under SMCRA. Our only concern is that, while on the one hand OSM is advocating for the establishment of a hardrock AML program, it is also pushing for the elimination of funding for certified States and tribes to accomplish this very same type of work. Granted, OSM's position is based on its belief that SMCRA funding should be restricted to high priority coal problems only. However, Congress clearly felt differently from the outset of SMCRA's formation and, while there have been many recent opportunities to adjust its views and

amend SMCRA accordingly, Congress has chosen not to do so. To the contrary, Congress has adopted legislation that would clarify the use of SMCRA AML funds to address noncoal problems. Nonetheless, we would welcome an opportunity to work closely with OSM if such a program is developed in examining the potential for a hardrock AML program, wherever it may reside and however it may be constituted.

Thank you for the opportunity to submit this statement regarding OSM's proposed budget for fiscal year 2016.

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#### PREPARED STATEMENT OF THE NATIONAL ASSOCIATION OF CLEAN AIR AGENCIES

On behalf of the National Association of Clean Air Agencies (NACAA), thank you for this opportunity to testify on the fiscal year 2016 proposed budget for the United States Environmental Protection Agency (EPA), particularly grants to State and local air pollution control agencies under sections 103 and 105 of the Clean Air Act, which are part of the State and Tribal Assistance Grant (STAG) program. Specifically, NACAA supports the President's request for an increase of \$40 million over fiscal year 2015 levels, for a total of \$268.2 million for State and local air quality grants; recommends that State and local air pollution control agencies be provided with the flexibility to determine how best to use any additional resources, including the \$40 million; and requests that grant funds for fine particulate matter monitoring remain under section 103 authority, rather than being shifted to section 105 authority, as EPA is proposing.

NACAA is a national, non-partisan, non-profit association of air pollution control agencies in 41 States, the District of Columbia, four territories and 116 metropolitan areas. The members of NACAA have the primary responsibility under the Clean Air Act for implementing our Nation's clean air program. The air quality professionals in our member agencies have vast experience dedicated to improving air quality in the United States. These observations and recommendations are based upon that experience. The views expressed in this testimony do not necessarily represent the positions of every State and local air pollution control agency in the country.

#### AIR POLLUTION REMAINS A SIGNIFICANT THREAT TO HUMAN HEALTH

While great strides have been made in addressing air pollution, and the Clean Air Act's programs have been extremely successful in providing significant health and welfare benefits throughout our country, there is still a lot of work to be done. According to EPA, "[e]ven with this progress, in 2012 approximately 45 percent of the U.S. population lived in counties with air that did not meet health-based standards for at least one pollutant."<sup>1</sup> Additionally, EPA's latest National Air Toxics Assessment (NATA) data showed that everyone living in the United States had an increased cancer risk of over 10 in one million (one in one million is generally considered "acceptable") in 2005, due to exposure to the hazardous air pollutants included in EPA's analysis.<sup>2</sup> Finally, global warming and climate change are expected to cause a host of problems, including rising sea levels, changing weather patterns and increases in diseases and other problems that threaten human health and the environment.<sup>3</sup>

While this subcommittee addresses many critically important problems, it is unlikely that any pose more of a threat to public health than air pollution. In fact, tens of thousands of people die prematurely each year<sup>4</sup> and many others suffer serious health problems as a result of exposure to air pollution. These include, among other things, premature mortality; cancer; and cardiovascular, respiratory, neurological and reproductive damage.<sup>5</sup> This subcommittee has the opportunity to help address these serious public health and welfare problems by providing additional Federal funding to assist State and local air agencies in their efforts.

#### STATE AND LOCAL PROGRAMS NEED SIGNIFICANT INCREASES FOR CONTINUING AND NEW PROGRAMS

For many years, State and local air pollution control agencies have struggled with insufficient resources. A NACAA study revealed an annual shortfall of \$550 million

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<sup>1</sup> *Fiscal Year 2016 EPA Budget in Brief* (February 2015), page 14.

<sup>2</sup> National Air Toxics Assessment for 2005—Fact Sheet (February 17, 2011), [http://www.epa.gov/ttn/atw/nata2005/05pdf/sum\\_results.pdf](http://www.epa.gov/ttn/atw/nata2005/05pdf/sum_results.pdf).

<sup>3</sup> *Fiscal Year 2016 EPA Budget in Brief* (February 2015), page 13.

<sup>4</sup> <http://epa.gov/ncsr/science/pm/>.

<sup>5</sup> *Fiscal Year 2014–2018 EPA Strategic Plan* (April 10, 2014), page 8.



in Federal grants for State and local air programs,<sup>6</sup> which has caused our agencies to make difficult choices to cut air pollution programs that are important for public health and/or eliminate staff. Due to these economic hardships, States and localities increasingly rely on Federal grants provided by the Clean Air Act.

While section 105 of the Clean Air Act authorizes the Federal Government to provide grants for up to 60 percent of the cost of State and local air programs and calls for States and localities to provide a 40-percent match, in reality, State and local air agencies provide over three-fourths of their budgets (not including permit fees under the Federal title V program). To make matters worse, the purchasing power of Federal grants has decreased by nearly 16 percent over the past 14 years due to inflation, during which time State and local responsibilities have expanded almost exponentially.

We recognize that Congress must support many programs and that providing full funding for any one effort is probably impossible. Therefore, although it is not enough to fund all of our responsibilities, NACAA appreciates and supports the administration's proposed \$40-million increase and hopes that Congress will provide that level of funding. Federal funding for State and local air programs—both continuing grants and the requested increase—would provide resources for a host of essential activities, such as our ongoing core programs and new efforts, including obligations under the Clean Power Plan.

#### *Core Program Funding*

State and local air quality agencies are continuously required to implement many essential programmatic responsibilities to obtain and maintain healthful air quality. These include not only new efforts, but also ongoing activities that constitute the “core” of our clean air activities and the day-to-day responsibilities that are the foundation of our programs. Just to list a few examples, in fiscal year 2016, States must: develop and/or make revisions to their State Implementation Plans (SIPs) for each of the health-based national ambient air quality standards (NAAQS)—especially the ozone and PM<sub>2.5</sub> (fine particles) standards; continue implementing new and updated Maximum Achievable Control Technology (MACT) air toxics standards; address regional haze problems; implement motor vehicle and related fuels programs; etc. All of these tasks call for a variety of activities that are resource- and labor-intensive. These include, among other things, planning; compiling comprehensive emission inventories; carrying out complex modeling; analyzing extensive data; expanding and operating monitoring networks; adopting regulations; inspecting facilities and enforcing regulations, as necessary; addressing complicated transport issues; issuing minor source permits; and informing and involving the public in air quality decisions and issues.

#### *Clean Power Plan Funding*

In June 2014, EPA proposed the Clean Power Plan, which is a regulation under section 111(d) of the Clean Air Act designed to reduce emissions of greenhouse gas emissions from existing electric utility power plants. It is expected to be issued as a final regulation this summer. Regardless of one's opinions about the need for climate change measures, the fact is that State and local air quality agencies are now expected to begin developing State plans and carrying out other activities to comply with the requirements that will shortly be in place. Likewise, even though these regulations will be litigated, in the meantime the requirements for State and local air agencies to move ahead with the program will remain in force and require significant resources.

Among the many activities State and local air agencies must undertake to comply with these regulations are the development and submission of State plans to meet the section 111(d) requirements. According to EPA, these tasks include: “compile and assess information about energy and emissions; establish approaches to evaluating, measuring, and verifying plans for energy savings across environmental agencies and energy regulators, hold public meetings and conduct outreach with interested parties, and prepare and submit State plans.”<sup>7</sup> Additionally, agencies will need to conduct modeling, technical analysis and training. The activities will be in addition to the tasks State and local air agencies are already performing to comply with other requirements of the Clean Air Act and will call for additional resources.

<sup>6</sup>*Investing in Clean Air and Public Health: A Needs Survey of State and Local Air Pollution Control Agencies*, (April 2009), NACAA, [www.4cleanair.org/Documents/reportneedsurvey042709.pdf](http://www.4cleanair.org/Documents/reportneedsurvey042709.pdf).

<sup>7</sup>*Draft OAR National Program Manager Guidance, fiscal years 2016–2017* (February 23, 2015).

## NACAA RECOMMENDS FLEXIBILITY IN THE USE OF GRANT INCREASES

As stated above, the proposed budget calls for an increase of \$40 million in State and local air pollution control grants. The proposed budget would divide the increase into \$25 million to implement the Clean Power Plan under section 111(d) and \$15 million for other continuing State and local air quality activities. While State and local air agencies do need additional funds to implement the Clean Power Plan, we are also in need of significant increases to operate our essential core programs. In fact, State and local air pollution control agencies would need amounts far greater than the \$40-million proposed increase whether or not the Clean Power Plan were in effect in fiscal year 2016. Accordingly, we request that Congress provide the \$40-million increase but also allow full flexibility for State and local air agencies to use the additional funds for the highest priority activities in their areas. This could include the Clean Power Plan and/or other essential elements of State and local air quality programs, such as the core program activities noted above.

## NACAA RECOMMENDS THAT AUTHORITY FOR MONITORING GRANTS REMAIN UNDER SECTION 103

EPA has proposed again this year to begin shifting funds for PM<sub>2.5</sub> monitoring from section 103 authority, where no State or local matching funds are needed, to section 105, which would require additional matching funds. We recommend that the funds remain under section 103 authority. For individual agencies that have concerns about the matching requirements, this will ensure that they do not have to refuse essential monitoring funds because they do not have the resources to provide the required match. In past years, Congress has been very responsive to our requests on this issue, for which we are very grateful, and we recommend that Congress again call for these grants to be provided under section 103 authority.

## NACAA SUPPORTS DIESEL EMISSION REDUCTION ACT (DERA) FUNDS

NACAA is pleased that the proposed budget includes funding for the Diesel Emission Reduction Act (DERA) program (\$10 million). This is an important program to address emissions from the large legacy fleet of diesel engines. We appreciate that the budget request did not fund DERA at the expense of the section 103/105 grants and we strongly urge that any future funding for DERA not be in lieu of increases to State and local air grants. Additionally, since many of the DERA funds are not provided to State and local governments, we recommend that future DERA activities not be funded through the STAG account. Instead, we suggest that the grants be provided through one of EPA's other accounts.

## NACAA SUPPORTS RESOURCES FOR ADDITIONAL STATE AND LOCAL CLEAN POWER ACTIVITIES

NACAA supports the recommended \$4-billion Clean Power State Incentive Fund contained in the request because it will provide significant support for States and localities to achieve reductions in greenhouse gas emissions related to the Clean Power Plan.

## CONCLUSION

NACAA supports the administration's proposed increase of \$40 million for grants to State and local air pollution control agencies under sections 103 and 105 of the Clean Air Act for fiscal year 2016, for a total of \$268.2 million. We recommend that these increases be provided to State and local air agencies with full flexibility to be used for the programs that are the highest clean air priorities in each area, rather than being earmarked for specific programs, such as EPA's Clean Power Plan. We further request that grants for PM<sub>2.5</sub> monitoring remain under section 103 authority, rather than being shifted to section 105 authority.

Thank you for this opportunity to testify on this important issue and for your consideration of the funding needs of State and local air quality programs.

## PREPARED STATEMENT OF THE NATIONAL ASSOCIATION OF STATE ENERGY OFFICIALS

Chairman Murkowski, Ranking Member Udall, and members of the subcommittee, I am David Terry, Executive Director of the National Association of State Energy Officials (NASEO), which represents the 56 State and Territory Energy Offices. NASEO is submitting this testimony in support of funding for the ENERGY STAR program (within the Climate Protection Partnership Division of the Office of Air and Radiation) at the U.S. Environmental Protection Agency (EPA).

NASEO supports funding of at least \$55 million, including specific report language directing that the funds be utilized only for the ENERGY STAR program. The ENERGY STAR program is successful, voluntary, and cost-effective. With increasing electricity prices and volatile natural gas markets, ENERGY STAR helps consumers and businesses control expenditures over the long term. The program is strongly supported by product manufacturers, and ENERGY STAR leverages the States' efficiency actions. Voluntary ENERGY STAR activities are occurring, in conjunction with many States including Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maine, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, and Wisconsin.

The ENERGY STAR program is focused on voluntary efforts that reduce the use of energy, promotes energy efficiency and renewable energy, and works with States, local governments, and business to achieve these goals in a cooperative, public-private manner. NASEO has worked very closely with EPA and approximately 40 States are ENERGY STAR Partners. With very limited funding, EPA's ENERGY STAR program works closely with the State Energy Offices to give consumers and businesses the opportunity to make better energy decisions and catalyzes product efficiency improvements by manufacturers without regulation or mandates.

ENERGY STAR focuses on energy efficient products as well as buildings (e.g., residential, commercial, and industrial). In 2013, nearly 300 million ENERGY STAR products were purchased across more than 70 product categories. The ENERGY STAR label is recognized across the United States. It makes the work of the State Energy Offices much easier, by working with the public on easily recognized products, services, and targets. In order to obtain the ENERGY STAR label a product has to meet established guidelines. ENERGY STAR's voluntary partnership programs include ENERGY STAR Buildings, ENERGY STAR Homes, ENERGY STAR Small Business, and ENERGY STAR Labeled Products. The program operates by encouraging consumers and working closely with State and local governments to purchase these products and services. Marketplace barriers are also eradicated through education. State Energy Offices are working with EPA to promote ENERGY STAR products, ENERGY STAR for new construction, ENERGY STAR for public housing, etc. A successful example of how State Energy Offices are leveraging this key national program is the Nebraska Energy Office, which since 2005, has utilized ENERGY STAR as the standard for certifying home and office electronics that are eligible under the State's successful and long-running Dollar and Energy Savings Loan program.

In addition to the State partners, the program has over 16,000 voluntary partners including over 2,000 manufacturers using the label, more than 1,000 retail partners, more than 5,000 builder partners, 4,500 businesses, 550 utilities and thousands of energy service providers. The Home Performance with ENERGY STAR activity allows us to focus on whole-house improvements, not simply a single product or service. This is extremely beneficial to homeowners. Over 30 States, including Alabama, California, Kentucky, Minnesota, Nevada, and New Jersey, operate or support the Home Performance with ENERGY STAR programs. The New York and Illinois energy offices were recently honored with Partner of the Year awards by the program. We are also working closely with EPA to support the ENERGY STAR Challenge, which encourages commercial and industrial building owners to voluntarily reduce energy use by 10 percent or more within 5 years or less, usually through very simple actions.

The State Energy Offices are very encouraged with progress made at EPA and in our States to promote programs to make schools more energy efficient, in addition to an expanding ENERGY STAR Business Partners program. In Kentucky, the State has partnered with school districts and engineering firms to advance ENERGY STAR rated schools, resulting in more than 250 ENERGY STAR rated schools in the State, a 400 percent increase since 2010. Over the past few years, Kentucky has moved aggressively to promote zero-net energy schools. Other States that have over 100 ENERGY STAR rated schools include Alabama, Arizona, California, Colorado, Florida, Georgia, Illinois, Indiana, Kansas, Michigan, Minnesota, New Mexico, New York, North Carolina, Ohio, Pennsylvania, Texas, Utah, Virginia, Washington and Wisconsin.

EPA has been increasing the technical assistance work with the State Energy Offices in such areas as ENERGY STAR Portfolio Manager (how to rate the performance of buildings), setting an energy target, and financing options for building improvements and building upgrade strategies. ENERGY STAR Portfolio Manager is

used extensively by State Energy Offices to benchmark performance of State and municipal buildings, saving taxpayer dollars. Nearly 40 percent of the country's commercial building space uses Portfolio Manager to measure, track, assess, and report energy and water consumption.

The State Energy Offices are working cooperatively with our peers in the State environmental agencies and State public utilities commissions to ensure that programs, regulations, projects and policies are developed recognizing both energy and environmental concerns. We have worked closely with this program at EPA to address these issues. We encourage these continued efforts.

#### CONCLUSION

The ENERGY STAR program saves consumers billions of dollars every year. The payback is enormous. NASEO supports robust program funding in fiscal year 2016. Funding for the ENERGY STAR program is justified. NASEO endorses these activities and the State Energy Offices are working very closely with EPA to cooperatively implement a variety of critical national programs without mandates.

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#### PREPARED STATEMENT OF THE NATIONAL ASSOCIATION OF STATE FORESTERS

The National Association of State Foresters (NASF) appreciates the opportunity to submit written public testimony to the Senate Committee on Appropriations, Subcommittee on Interior, Environment, and Related Agencies regarding our fiscal year 2016 appropriations recommendations. Our priorities focus primarily on appropriations for the USDA Forest Service (Forest Service) State and Private Forestry (S&PF) programs.

State foresters deliver technical and financial assistance, along with forest health, water and wildfire protection for more than two-thirds of the Nation's 751 million acres of forests. The Forest Service S&PF mission area provides vital support to deliver these services, which contribute to the socioeconomic and environmental health of rural and urban areas. The comprehensive process for delivering these services is articulated in each State's Forest Resource Assessment and Strategy (Forest Action Plan), authorized in the 2008 Farm Bill and continued in the Agriculture Act of 2014. S&PF programs provide a significant return on the Federal investment by leveraging the boots-on-the-ground and financial resources of State agencies to deliver assistance to forest landowners, tribes, and communities. As Federal and State governments continue to face financial challenges, State foresters, in partnership with the S&PF mission area of the Forest Service, are best positioned to maximize effectiveness of available resources by focusing work on priority forest issues where resources are needed most.

Your support of the following programs is critical to helping States address the many and varied challenges outlined in Forest Action Plans.

#### WILDLAND FIRE AND FOREST FUELS

*Wildland Fire Funding.*—A relatively light fire season in several geographic areas meant that no transfers from non-fire programs to fire suppression were required in fiscal year 2014 at the Forest Service or the Department of the Interior. Nonetheless, the Forest Service was still forced to prepare for transfers, which meant stopping ongoing work in the field and halting new contracts. These actions frustrate and delay on-the-ground management that is critical to the prevention and mitigation of future wildfire. We ask for your continued support of the long-term solution to stop future transfers through the bi-partisan Wildfire Disaster Funding Act.

*State Fire Assistance.*—More people living in fire-prone landscapes, high fuel loads, drought, and unhealthy landscapes are among the factors that led most State foresters to identify wildland fire as a priority issue in their Forest Action Plans. We now grapple with increasingly expensive and complex wildland fires—fires that frequently threaten human life and property. In 2014, more than 63,600 wildland fires burned nearly 3.6 million acres.<sup>1</sup> State and local agencies respond to the majority of wildfires across the country; in 2014 State and local agencies were responsible for responding to 50,799 (80 percent) of 63,612 reported wildfires across all jurisdictions.<sup>2</sup>

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<sup>1</sup>National Interagency Fire Center, Historical Wildland Fire Summaries, pg. 9. Last accessed Feb. 24, 2015 at [http://www.predictiveservices.nifc.gov/intelligence/2014\\_Statsum/2014Stats&Summ.html](http://www.predictiveservices.nifc.gov/intelligence/2014_Statsum/2014Stats&Summ.html).

<sup>2</sup>*Id.*

State Fire Assistance (SFA) is the fundamental Federal mechanism for assisting States and local fire departments in responding to wildland fires and in conducting management activities that mitigate fire risk on non-Federal lands. SFA also helps train and equip local first responders who are often first to arrive at a wildland fire incident and who play a crucial role in keeping fires and their costs as small as possible. A small investment of SFA funds supports State forestry agencies in accessing and repurposing equipment from the Federal Excess Personal Property and the Firefighter Property programs. Between 2008 and 2012 these two programs have delivered more than \$150 million annually in equipment for use by State and local first responders.

The Fiscal Year 2016 Forest Service Budget Justification highlights a successful wildfire mitigation project in Colorado where a \$300,000 investment before the Waldo Canyon fire helped protect the community and avoid more than \$77 million in additional losses from that destructive wildfire. By directing resources to actions that help reduce the number of large wildland fires—including prevention education, preparedness activities, and fuels mitigation—the SFA program directly addresses concerns over rising wildland fire suppression costs while also reducing wildland fire risk to communities.

In fiscal year 2014, SFA directly funded hazardous fuel treatments on 111,002 acres (with another 120,241 acres treated with leveraged funding) and provided assistance to communities around the country, supporting 3,117 risk assessment and fire management planning projects and 9,972 prevention and education programs.<sup>3</sup> NASF supports funding the State Fire Assistance program at \$86 million in fiscal year 2016.

#### FOREST PESTS AND INVASIVE PLANTS

Also among the greatest threats identified in the Forest Action Plans are native and non-native pests and diseases. These pests and diseases have the potential to displace native trees, shrubs and other vegetation types in forests; the Forest Service estimates that hundreds of native and nonnative insects and diseases damage the Nation's forests each year. The growing number of damaging pests and diseases are often introduced and spread by way of wooden shipping materials, movement of firewood, and through various types of recreation. In 2010, approximately 6.4 million acres suffered mortality from insects and diseases<sup>4</sup> and there is an estimated 81.3 million acres at risk of attack by insects and disease over the next 15 years.<sup>5</sup> These losses threaten clean and abundant water availability, wildlife habitat, clean air, and other environmental services. Further, extensive areas of high insect or disease mortality can set the stage for large-scale, catastrophic wildfire.

The Cooperative Forest Health Management program supports activities related to prevention, monitoring, suppression, and eradication of insects, diseases, and plants through provision of technical and financial assistance to States and territories to maintain healthy, productive forest ecosystems on non-Federal forest lands. The Cooperative Forest Health Management program plays a critical part in protecting communities already facing outbreaks and in preventing exposure of more forests and trees to the devastating and costly effects of exotic and invasive pests and pathogens. NASF supports funding the Forest Health—Cooperative Lands Program at \$48 million in fiscal year 2016.

#### ASSISTING LANDOWNERS AND MAINTAINING WORKING FOREST LANDSCAPES—FOREST STEWARDSHIP PROGRAM

Working forest landscapes are a key part of the rural landscape, providing an estimated 900,000 jobs, clean water, wood products, and other essential services to millions of Americans. Private forests make up two-thirds of all the forestland in the United States and support an average of eight jobs per 1,000 acres.<sup>6</sup> However, The Forest Service estimates that 57 million acres of private forests in the U.S. are at risk of conversion to urban development over the next two decades. Programs like the Forest Stewardship Program and Forest Legacy Program are key tools identified

<sup>3</sup> USDA Forest Service Fiscal Year 2016 Budget Justification at pg. 270.

<sup>4</sup> Man, Gary. 2011. Major Forest Insect and Disease Conditions in the United States: 2010 Update. Last accessed on March, 5, 2015 at: [http://www.fs.fed.us/foresthealth/publications/ConditionsReport\\_2011.pdf](http://www.fs.fed.us/foresthealth/publications/ConditionsReport_2011.pdf).

<sup>5</sup> Tkacz, Bory, et al. 2014. NIDRM 2012 Report Files: Executive Summary. Last accessed on March, 5, 2015 at: [http://www.fs.fed.us/foresthealth/technology/pdfs/2012\\_RiskMap\\_Exec\\_summary.pdf](http://www.fs.fed.us/foresthealth/technology/pdfs/2012_RiskMap_Exec_summary.pdf).

<sup>6</sup> Forest2Market. *The Economic Impact of Privately-Owned Forests*. 2009.

in the Forest Action Plans for keeping working forests intact and for providing a full suite of benefits to society.

The Forest Stewardship Program (FSP) is the most extensive family forest-owner assistance program in the country. Management assistance is delivered in cooperation with State forestry agencies through technical assistance services and the development and implementation of Forest Stewardship Plans. The program works to ensure that private landowners have the best information to help them manage their land for wildlife, recreation, aesthetics, timber production, and many other goals. In fiscal year 2014, nearly 26 million acres of private forest lands across the Nation were managed under Forest Stewardship Plans, and FSP supported direct outreach to roughly 424,000 landowners.<sup>7</sup> The technical assistance provided through FSP is a gateway to other effective USDA, State, and private sector programs designed to help keep working forests intact. For instance, the FSP enables landowners to participate in USDA programs including the Forest Legacy Program and Environmental Quality Incentives Program. NASF supports funding the Forest Stewardship Program at \$29 million in fiscal year 2016.

#### URBAN AND COMMUNITY FOREST MANAGEMENT CHALLENGES

Urban forests are important to achieving energy savings, improved air quality, neighborhood stability, aesthetic value, reduced noise, and improved quality of life in municipalities and communities around the country. Urban trees and forests provide a wide array of social, economic, and environmental benefits to people living in urban areas; today, more than 83 percent of the Nation's population lives in urban areas.<sup>8</sup> Yet, urban and community forests face serious threats, such as development and urbanization, invasive pests and diseases, and fire in the wildland urban interface (WUI).

Since its expansion under the Cooperative Forestry Assistance Act of 1990 (CFAA), the Forest Service's Urban and Community Forestry (U&CF) program has provided technical and financial assistance to promote stewardship of urban forests in communities of all sizes across the country. The program is delivered in close partnership with State foresters and leverages existing local efforts that have helped thousands of communities and towns manage, maintain, and improve their tree cover and green spaces. In fiscal year 2014, the U&CF program delivered technical, financial, educational, and research assistance to 7,100 communities across all 50 States, the District of Columbia, U.S. territories and affiliated Pacific Island nations. NASF supports funding the Urban and Community Forestry program at \$31 million in fiscal year 2016.

#### IMPORTANCE OF FOREST INVENTORY DATA IN MONITORING FOREST ISSUES

The Forest Inventory and Analysis (FIA) program, managed by Forest Service, Forest and Rangeland Research, is the only comprehensive inventory system in the United States for assessing the health and sustainability of the Nation's forests across all ownerships. FIA provides essential data related to forest species composition, forest growth rates, and forest health data, and it delivers baseline inventory estimates used in Forest Action Plans. Further, this data is used by academics, researchers, industry, and others to understand forest trends and support investments in forest products facilities that provide jobs and products to society. The program provides unbiased information used in monitoring of wildlife habitat, wildfire risk, insect and disease threats, invasive species spread, and response to priorities identified in the Forest Action Plans.

As the key partner in FIA program delivery via State contribution of matching funds, State foresters look forward to carefully reviewing the FIA Strategic Plan—called for in the 2014 Farm Bill—and to working with the Forest Service to improve efficiency in delivery of the program to meet the needs of the diverse user groups for FIA data. NASF supports funding the Forest Inventory and Analysis program at \$83 million in fiscal year 2016 and \$220 million for other Research and Development programs. NASF supports an increased investment in FIA with the understanding that it will, at minimum, return to pre-fiscal year 2014 re-measurement cycles.

#### LANDSCAPE SCALE RESTORATION

State foresters look forward to working with members of the subcommittee and the Forest Service to make sure that, through the Landscape Scale Restoration

<sup>7</sup> USDA Forest Service Fiscal Year 2016 Budget Justification at pg. 103.

<sup>8</sup> *Id.* At 119.

(LSR) program, we prioritize funds and resources to maximize return on investments to conserve, protect, and enhance our Nation's forests. The LSR line item codifies the competitive allocation of Cooperative Forestry Assistance Act (CFAA) funds which began under direction from the 2008 Farm Bill—but State foresters believe that LSR can and should do more.

In the Fiscal Year 2012 Consolidated Appropriations Act Conference Report, the subcommittee directed the Forest Service to develop a process allowing State foresters flexibility, with appropriate accountability, to reallocate a percentage of authorizations for CFAA programs to address State priorities consistent with Forest Action Plans. NASF has worked closely with the Forest Service to explore how States could utilize funding flexibility to meet their own unique and changing needs; however issues around the need to request reprogramming of funds has been a barrier to implementing funding flexibility. State foresters believe that LSR provides an opportunity to demonstrate the value of providing States flexibility to meet unique needs through the allocation of their CFAA funds. Such a model would include continued funding for the competitive allocation of CFAA funds with the addition of an allocation to States to enhance implementation of each Forest Action Plan.

NASF supports funding the Landscape Scale Restoration program at \$23.5 million in fiscal year 2016. NASF would also like to work with the subcommittee to direct that a portion of LSR funds be made available to State forestry agencies, based on overall percentage of CFAA funds received, to further implement State Forest Action Plans.

NASF appreciates the opportunity to share our fiscal year 2016 appropriations recommendations for the USDA Forest Service with the subcommittee.

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PREPARED STATEMENT OF THE NATIONAL ASSOCIATION OF STATE OUTDOOR  
RECREATION LIAISON OFFICERS

Dear Chairman Murkowski and Ranking Member Udall:

The National Association of State Outdoor Recreation Liaison Officers (NASORLO) members are gubernatorial appointed officials and the primary administrators of the State Assistance Program of the LWCF in each of the 56 States and Territories that receive LWCF appropriations. We are writing to you to ask your support for the fiscal year 2016 funding of LWCF and for restoration of fair and equitable funding between the State and Federal uses of this program.

In the 50 year history of this program, the portion of LWCF funds dedicated for State and local grants, when matched as required by the LWCF Act, have resulted in parks and outdoor recreation facilities in every State and nearly every city or town in America. We are concerned that the intent of LWCF to provide close to home outdoor recreation opportunities for our citizens has been hampered in recent years. The original act dedicated 60 percent of the program for State Assistance grants. Over the years various changes have been made to the Act and in the appropriations process which have reduced the percentage for State grants. In this year's Executive Budget only 13.1 percent is proposed for State Assistance grants. We request that in this year's appropriation process you seek to return the State share of the program back to a more equitable split between State and Federal uses.

Even though State agencies and communities have been trying to address infrastructure upgrades, meet new health and safety requirements and address changing population trends, we still have significant needs for a restoration of LWCF grants to previous levels. In addition to addressing these issues and providing outdoor recreation benefits to our residents, the economic impact of the construction, development, attendance and sales of equipment generated by these local projects is a significant incentive for local jobs creation. These impacts are especially significant, when you double the value of the project due to the matching requirement of LWCF.

NASORLO respectfully requests your support for adequate and equitable funding for the State Assistance Program of the LWCF in fiscal year 2016. Any action you can take in this regard would certainly be appreciated.

NASORLO is an organization of appointed State and Territorial officials working to provide outdoor recreation by investing proceeds from the LWCF State assistance program in State and local projects.

[This statement was submitted by Tim Hogsett, *President*.]

## PREPARED STATEMENT OF THE NATIONAL CATTLEMEN'S BEEF ASSOCIATION

Dear Chairman Murkowski:

The Public Lands Council (PLC) represents an industry consisting of more than 22,000 public lands ranchers across the West, many of whom are members of PLC affiliates at both the State and national level. Our national affiliates include the National Cattlemen's Beef Association (NCBA), the American Sheep Industry Association and the Association of National Grasslands.

Initiated in 1898, NCBA is the marketing organization and trade association for America's cattle farmers and ranchers. NCBA is a consumer-focused, producer-directed organization representing the largest segment of the Nation's food and fiber industry. NCBA represents 170,000 of America's farmers, ranchers and cattlemen who provide much of the Nation's supply of food and are proud of their tradition as stewards and conservators of America's land.

On behalf of our affiliates and members, we request that the Senate Appropriations Subcommittee on Interior, Environment, and Related Agencies make funds available for the accounts indicated below and provide regulatory relief and efficiencies through the fiscal year 2016 appropriations bill. There are many important provisions that have been included in past Interior and Environment appropriations bills which our industry strongly supports and request the following provisions be continued and/or included in the fiscal year 2016 bill. Please find, listed in the appendix, a comprehensive summary of our requests.

We would like to start off by thanking the subcommittee for your recognition, through level funding of the range management programs in the Fiscal Year 2015 Omnibus Appropriations Act, of the importance of livestock grazing both to the management of our Nation's Federal lands and to rural economies in the West. Additionally, thank you for recognizing the importance of reducing the regulatory burdens stemming from Federal agencies that continue to hamper the productivity and stability of our Nation's ranchers. Moving in to the final years of a two-term administration is proving to show the negative impacts of unchecked regulation and continued abuse of the legal system for driving anti-multiple use agendas through the courts via outdated environmental laws—we urge Congress to provide relief to the livestock industry through the following requests.

*Land Management BLM and USFS*

PLC and NCBA support a stable business climate in which our members can run economically viable and sustainable livestock businesses, operating on a combination of private and public lands across the west. Central to this goal is ensuring the land management agencies have sufficient funding to administer their range programs, so that public land ranchers may continue assisting them in managing the land and its resources. The Bureau of Land Management (BLM) and U.S. Forest Service (USFS) continue to suffer significant setbacks in court because they lack the personnel to collect the data needed to support the conclusions of their environmental documentation. Without adequate funding, the agencies are unable to keep up with their workload, and producers face the severe disruption of having their permitted stocking rates reduced due to lack of monitoring data. The funding is imperative to enable the agencies to carry out a systematic program of range monitoring, land health assessments, development and implementation of allotment management plans, and adaptive management—including range improvements, upon all of which sound stewardship of the public lands depends.

We sincerely appreciate the support Congress has provided to the BLM and USFS range programs in the past 3 fiscal years. In the fiscal year 2016 discussions we ask that you consider increasing these funding levels while also reviewing the line-items to decide whether changes can be made to enhance the management of Federal grazing programs. The additional resources would continue helping to stem the growing costs of administering the grazing programs by preventing the process-based lawsuits constantly being brought by special interest groups to achieve their goal of ending grazing on public lands.

*Bureau of Land Management*

In recent history, BLM has eliminated hundreds of rangeland management specialist positions, contributing to backlogs of environmental documentation and monitoring—and the resulting environmental litigation. We request that you appropriate funding to the BLM Rangeland Management Program above the fiscal year 2015 levels and reject the administration's proposal to cut the program by \$2.55 million so that the agency can continue to make longer-term decisions regarding staffing in order to break the cycle of backlogged documentation and litigation.



### *Forest Service*

The agency strives to fully implement National Environmental Policy Act (NEPA) decisions on all allotments, which is required by regulation and to an extent court precedent. To meet this objective, we respectfully request that the grazing program (NFRG) be allocated funds similar to the fiscal year 2015 amount and reject the administration's proposal to cut the program by \$5.65 million. Administering these acres for grazing requires both permit administration and land management through short and long-term monitoring, as well as compliance with a variety of regulatory documents issued under the Endangered Species Act, the National Forest Management Act, and other authorities. We welcome a discussion on how to better arrange the line-items provided in the appropriations bill with regard to forest system land management. We remain concerned with the continued proposal by the Forest Service to combine many line-items into an "Integrated Resource Restoration" line-item—to date our industry has not seen results from the initial pilot project authorized by Congress. Further, including many programs in one vast spending account removes necessary congressional oversight of how the USFS is expending tax dollars. There continues to be increased costs for NEPA analysis for all uses taking place on forest system lands, spread across many accounts—we support the creation of a line-item that speaks directly to costs associated with NEPA compliance.

Additionally, we support creation of a range management account and an added line-item representing management costs for wild horses and burros. Finally it remains imperative that the USFS continues the statutory requirements to monitor range and forest conditions in order to justify management decisions based on real and current data.

### *Grazing Permits and NEPA*

The backlog in processing permits is projected to remain on the books for both the BLM and the USFS; we request Congress continue to support and make policies available that will help the agencies work through this process so that family ranchers are not negatively impacted.

We thank you for extending the statutory language on timing of completion of NEPA through fiscal year 2016 to ensure that grazing permits remain intact, without disruption, while the agencies work through the backlog of grazing permits requiring renewal. Last session Congress passed permanent language to require that permits are renewed in spite of regulatory backlogs—we commend the appropriators that supported this language throughout the years leading up to its codification. This language is vital to the agencies in that it allows them the flexibility they need to continue managing the resource and processing permits.

We support efforts by Congress to ensure that the agencies are making adequate progress on working through the permit processing backlog, and that the agencies are using existing statutory authorities to complete NEPA on expired grazing permits in both a timely and legally appropriate manner.

### *Federal Grazing Fee*

Our industry supports the Federal grazing fee put in place by the 1986 Executive Order requiring adherence to the Public Rangelands Improvement Act (PRIA) formula. The formula is based on market criteria and accurately reflects the cost of operating on public lands. The fee is calculated according to three factors: current private grazing land lease rates, beef cattle prices, and the cost of livestock production. In effect, the fee rises, falls, or stays the same based on market conditions, with livestock operators paying more when conditions are better and less when conditions have declined. In order to provide stability to the industry, increases and decreases are limited to 25 percent in a given year. Further the Federal fee is in addition to costs associated with operating under extensive Federal regulation and red-tape, not something found on State and private land. The fee was put in place by Congress to stabilize and benefit the western livestock industry through reinvestment in the land and management and was never intended to cover administration of the programs which continue to divert increasing amounts toward administrative and legal challenges brought by radical special interest groups. We strongly urge that you reject and block any attempts, including the President's fiscal year 2016 proposed 148 percent increase, to arbitrarily change the Federal grazing fee formula or do so effectively via taxes.

### *Sage-Grouse*

Due to a closed-door settlement agreement between the U.S. Fish and Wildlife Service (USFWS) and radical environmental groups, arbitrary deadlines have been set for making hundreds of decisions on species to be listed under the Endangered

Species Act (ESA). One of those species is the Greater Sage-Grouse, whose habitat covers 11 western States, an area where ranchers are currently providing open space and improving the bird's habitat. However, rather than embracing the research-backed benefits of grazing, the agencies are continuing to make arbitrary decisions to cut and reduce livestock grazing on public lands. We applaud action by the appropriations committee to include language blocking a final decision by the USFWS in fiscal year 2015 and request that this language be continued through fiscal year 2016:

#### SAGE-GROUSE

SEC. 122. None of the funds made available by this or any other Act may be used by the Secretary of the Interior to write or issue pursuant to section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533)—

- (1) a proposed rule for Greater Sage-Grouse (*Centrocercus urophasianus*);
- (2) a proposed rule for the Columbia basin distinct population segment of Greater Sage-Grouse;
- (3) a final rule for the bi-State distinct population segment of Greater Sage-Grouse; or
- (4) a final rule for Gunnison Sage-Grouse (*Centrocercia minimus*).

Further, we encourage Congress to provide direction to the agencies to defer to State sage-grouse management plans, so that land management agencies cannot continue to make decisions negatively impacting livestock grazing for an unlisted species. Through regulation the BLM and USFS consider sage-grouse a “sensitive species” or a species of “conservation concern” respectively, effectively allowing them to manage for a species that is not federally protected as if it were. The livestock industry remains very concerned these agencies will drastically reduce livestock grazing based on faulty science when reputable research shows livestock grazing is one of the only tools available to effectively manage for the benefit of sage-grouse.

#### Antiquities Act

Monument designations continue to have deleterious impacts on ranchers where grazing is preserved on the areas designated but only if other protections are first met. Monument designations overtime reduce and remove livestock grazing from the landscape, when often times, the very reason a landscape is in a condition that merits consideration for designation is due to the management by ranchers. We request inclusion of the following in the fiscal year 2016 bill:

#### PROTECTING RANCHERS ON MONUMENTS

The following shall be included in the purpose and as part of the protections in any proclamation and/or designation of a National Monument made under the Antiquities Act of 1906, chapter 3203 of title 54, United States Code, on lands where livestock grazing exists—“livestock grazing is compatible with the purposes of the designation under this proclamation and shall continue, *Provided further*, That livestock grazing shall not be considered secondary to any other listed protections.”

#### Water Rights

Our members remain concerned over actions by both the BLM and USFS in the recent past regarding attempts to take control of private water rights. The agency's, while publically distancing themselves recently, in the past have attempted to require the forfeiture of water rights in exchange for land use permits on Federal lands something we strongly oppose. We request the following language be included in the fiscal year 2016 bill:

#### PROTECTION OF WATER RIGHTS

None of the funds made available in this or any other Act may be used to require or request, as a condition of the issuance, renewal, or extension of any Forest Service or Bureau of Land Management permit, lease, allotment, easement, or other land use and occupancy arrangement, the transfer or relinquishment of any water right, in whole or in part, granted under State law.

#### Department of the Interior Wildlands Order

We ask that you continue to block funding for implementation of Secretarial Order No. 3310, the “wild lands” order, which creates *de facto* wilderness and poses a threat to the continued multiple use of BLM lands. Language blocking this Order has been in place since it was signed by the Secretary and while we support the rider, we request it be expanded to block inventory and planning for wilderness

character under sections 201 and 202 of FLPMA. The administration is using these provisions to implement the “wildlands” idea in direct conflict with the congressional rider. We request the following language be included:

#### WILD LANDS FUNDING PROHIBITION

None of the funds made available in this Act or any other Act may be used to implement, administer, or enforce Secretarial Order No. 3310 issued by the Secretary of the Interior on December 22, 2010, nor for inventory or planning for wilderness character or wilderness characteristics under sections 201 and 202 of the Federal Lands Policy and Management Act.

#### *Department of the Interior Landscape Conservation Cooperatives Secretarial Order*

On September 14, 2009, Department of the Interior Secretary Ken Salazar issued Secretarial Order 3289 establishing a system of 21 “Landscape Conservation Cooperatives” or LCCs. While creation of the LCCs under the guise of creating “applied science and management partnerships between the Department of the Interior (DOI) bureaus and other involved in natural resource management and conservation” sounds laudable, the livestock industry has become concerned with the potential for extra-governmental entities driving climate change agendas. It appears more and more likely that these LCCs will develop position papers and “science” to fit pre-determined conclusions that humans are causing climate change—ultimately heaping this “science” onto all land management decisions made by land management agencies.

While it is difficult to ascertain the cost to taxpayers for these LCCs, some estimates suggest the Federal Government across many bureaus within DOI is spending a minimum of tens if not a hundred million dollars annually or more on this operation with little to show for it (the President’s budget request is for \$18 million however we don’t believe this accounts for agency personnel time and travel across many bureaus). We encourage Congress to consider blocking funds from being expended on Secretarial Order 3289 and provide the following language as a suggestion:

#### LANDSCAPE CONSERVATION COOPERATIVES FUNDING PROHIBITION

None of the funds made available in this Act or any other Act may be used to implement, administer, or enforce Secretarial Order No. 3289 issued by the Secretary of the Interior on September 14, 2009.

#### *Land Acquisition*

We are strongly opposed to the use and funding of the Land and Water Conservation Fund (LWCF) for the acquisition of land. During a time of strained budgets and already-inadequate Federal land management, we find imprudent any proposal to expand the Federal estate. Should the committee elect to appropriate funds for LWCF we request those funds not be available for land acquisition. As LWCF is due for reauthorization during fiscal year 2015, we encourage the appropriations committee to work with the authorizing committee to amend the structure to prohibit the use of funds for purchase of land.

#### *Forest Service Annual Operating Instruction Appeals*

In June 2014 the Forest Service issued new regulation concerning livestock grazing, specifically dealing with the administrative appeal process for Annual Operating Instructions (AOIs). The new regulation 36 C.F.R 214 replaced 36 C.F.R. 251 barring the appeal of AOIs for grazing on forest system lands. While we understand and agree that AOIs cannot include decisions which impact or change the terms of grazing permits, in practice AOIs have done just that and with the new regulations there are no options for ranchers to appeal. We urge Congress to exempt directly affected parties to AOIs from this new regulation in order to provide essential due process for ranchers that operate on forest system lands.

#### GRAZING PERMITTEES ABILITY TO APPEAL

Ranchers holding permits or leases to graze livestock on national forest system lands and national grasslands and those organizations directly representing them shall be exempt from 36 C.F.R 214, provided further ranchers and organizations directly representing them shall have the ability to appeal Annual Operating Instructions.

*Wild Horse and Burro Program*

The Department of Interior's Wild Horse and Burro Program is broken and unsustainable on its current path. There are more than 50,000 "excess" horses in long-term holding pastures in the mid-west along with more than 10,000 excess horses roaming across public, private and State lands in the west. At a cost of nearly \$80 million annually, Congress cannot afford to stand by and do nothing. We encourage the committee to introduce a draft fiscal year 2016 bill without language limiting the title on the conveyance of excess horses from the BLM to private entities. Without direction and solutions from Congress we will soon see irreversible rangeland damage and potentially mass die offs from starvation and dehydration take place. We request the fiscal year 2016 bill not contain the following provision as has been included for multiple years nor anything similar:

Appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors or for the sale of wild horses and burros that results in their destruction for processing into commercial products.

*Alternative Grazing Allotments—Wildfire, Drought, Wildlife Conflicts*

Over the past few years we have seen larger and more intense wildfires and drought across the West, impacting communities and livestock operations that rely on access to forage on public lands. Additionally, we have seen drastic cuts to sheep permits due to misguided management decisions by the USFS and potentially the BLM with respect to wildlife conflicts. Due to extreme and redundant environmental analysis requirements for offering alternative allotments to ranchers when wildfire or drought impacts their operations, it is necessary to provide flexibility in statute to allow access to alternative forage. We thank you for inclusion of report language in the fiscal year 2014 and fiscal year 2015 bill and request that the committee include the language in the fiscal year 2016 bill as follows:

AVAILABILITY OF VACANT GRAZING ALLOTMENTS

The Secretary of the Interior, with respect to public lands administered by the Bureau of Land Management, and the Secretary of Agriculture, with respect to National Forest System lands, shall make vacant grazing allotments available to a holder of a grazing permit or lease issued by either Secretary if the lands covered by the permit or lease or other grazing lands used by the holder of the permit or lease are deemed unusable, in full or in part, by the Secretary concerned because of drought, wildfire, or any reduction or elimination of a domestic livestock permit or lease as a result of determination of a potential conflict with bighorn sheep. *Provided*, That the terms and conditions contained in a permit or lease made available pursuant to this section shall be under terms and conditions no less favorable to the permittee than those applicable to the permittee on the allotment being vacated. *Provided further*, That Section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) shall not apply with respect to any Federal agency action under this section. *Provided further*, That the Secretaries of Agriculture and Interior shall engage the respective States' wildlife agencies, departments of agriculture, animal health professionals, and the Agricultural Research Service prior to any decision, based partially or in its entirety on the determination of a potential conflict with bighorn sheep, resulting in the reduction or elimination of a domestic livestock permit or lease.

*Bighorn Sheep Report Language*

The U.S. Forest Service and Bureau of Land Management are basing domestic sheep management decisions on flawed science and risk models that do not accurately reflect reality, leading to drastic cuts in sheep grazing in the west. We urge the committee to consider including the following report language in the fiscal year 2016 funding bill to provide direction to the agencies, specifically the USFS to work with USDA's research entity ARS when studying domestic/bighorn sheep interactions:

*Bighorn Sheep Conservation.*—The Committee directs the Forest Service to take prompt action to seek and enact multiple use solutions to ensure our Nation does not continue to lose substantial portions of either our domestic sheep industry or our bighorn sheep conservation legacy. The Service is further directed to promptly complete Risk of Contact analyses using the Western Association of Fish and Wildlife Agencies' occupied bighorn habitat maps, telemetry data, and recent bighorn observations. The Service is further directed to transparently and promptly share findings with other Federal land management

agencies, State and local governments, State wildlife agencies, the and State and Federal animal health professionals, including the Agricultural Research Service, permittees, and stakeholders. The Committee directs the Forest Service to specifically engage the Agricultural Research Service and the aforementioned cooperating agencies and participants to ensure the best professional scientific understanding of where risk of disease transmission occurs, and the degree of that risk. The Forest Service is further directed to use this base of information to swiftly identify and implement actions to resolve high-risk of disease transmission allotments, including if agreeable to the permittee, the relocation of domestic sheep to lower-risk allotments, with minimal disruption and displacement of permittees. The Committee believes such solutions will not be possible without genuine collaboration among the most directly-affected stakeholders, all of whom are committed to multiple-use solutions. The Forest Service is directed to provide quarterly briefings to the House and Senate Committees on Appropriations, both in writing and in person, on its progress and adherence to the directives contained herein.

#### *Block Use of "Viability" by Agencies*

In 2010, the USFS prohibited 13,000 sheep from grazing on their historic grazing allotments within the Payette National Forest in Idaho, driving one ranch out of business entirely and drastically reducing the operations of three others. The supposed reason for this reduction was an obscure regulation written in excess of the text found in the National Forest Management Act allegedly requiring each national forest to maintain "minimum viable" populations of all vertebrate species found there. In 2012 the USFS doubled down, expanding the viability of species regulation to all species (vertebrate and invertebrate) through their new planning rule, effectively federalizing all wildlife management on national forest system lands. The livestock industry is extremely concerned that given the application of extra-statutory regulation in the example provided above, it is only a matter of time before all multiple uses are litigated off forest system lands in deference to "viable" populations of wildlife. We urge Congress to block the use of "viability" in managing national forest system lands and restate that States have the sole authority over management of non-federally listed wildlife under the ESA.

#### *Range Improvement / Betterment Funds*

We appreciate your continued support for BLM range improvement funds and USFS Range Betterment funds (RBRB), which are critical to our members' ability to implement practices that improve forage condition and wildlife habitat. These funds represent the kind of investment the public must make in order for multiple-use management of the public lands to work. Without these improvements and their maintenance, ranchers face challenges that threaten their ability to continue operating, and livestock and wildlife alike suffer from lack of access to water sources. We are concerned that the buying power of these funds coupled with sequestration have diminished these important resources and encourage the committee to look for ways to increase the amount of funds for on-the-ground projects.

#### *NEPA Climate Change Proposed Guidance*

We adamantly oppose inclusion of climate change considerations in NEPA analysis; we encourage you to block the abuse of this law to push an economically damaging agenda not supported by the general public. The administration is continuing to advance an agenda not supported by facts and science. Inclusion of climate change in NEPA analysis will only further expand a process that is nearly impossible for agencies to accomplish currently.

#### *Economic Analysis of Grazing on Public Lands*

There continues to be a gap in the analysis regarding the true economic contributions, both direct and indirect, of livestock grazing on public lands. We believe the figures currently being used by the BLM and USFS greatly underestimate the actual jobs supported by and economic impacts generated from public lands grazing. We request that Congress provide the funding and resources necessary to adequately analyze the full economic benefits provided by public land ranching.

#### *Cheatgrass Research*

As many as 60 million acres are either infested or susceptible to take-over by highly-invasive Cheatgrass, which increases wildfire frequency and intensity, adding millions to Federal emergency spending in firefighting costs every year. Encouraging and promising research is underway to study the use of livestock grazing to remove this invasive species through fall grazing, an often useful forage source. We

support an increase in funding in the fiscal year 2016 appropriations bill to continue this important research.

*EPA Overreach*

Our industry supports language that prevents the Environmental Protection Agency (EPA) from endangering our Nation's food supply and over-burdening our Nation's farmers and ranchers.

We appreciate your continued support of provisions that prevent the EPA from requiring reporting of greenhouse gas emissions from manure management systems, and we request that the committee continue to support the language in the fiscal year 2015 bill, which follows below:

GREENHOUSE GAS REPORTING RESTRICTIONS

SEC. 420. Notwithstanding any other provision of law, none of the funds made available in this or any other Act may be used to implement any provision in a rule, if that provision requires mandatory reporting of greenhouse gas emissions from manure management systems.

We support efforts to prevent EPA from requiring permits from livestock operations for greenhouse gas emissions. We request that the subcommittee continue to support the language in the fiscal year 2015 bill, which follows below:

PROHIBITION ON USE OF FUNDS

SEC. 419. Notwithstanding any other provision of law, none of the funds made available in this Act or any other Act may be used to promulgate or implement any regulation requiring the issuance of permits under title V of the Clean Air Act (42 U.S.C. 7661 et seq.) for carbon dioxide, nitrous oxide, water vapor, or methane emissions resulting from biological processes associated with livestock production.

We also support preventing the EPA from unilaterally expanding its authority under the Clean Water Act through regulatory fiat, and we support maintaining the Federal/State partnership in the regulatory process of the Clean Water Act. To that end, we request inclusion of the following language from the draft fiscal year 2014 bill:

WATERS OF THE UNITED STATES

SEC. 435. None of the funds made available in this Act or any other Act making appropriations for the Environmental Protection Agency may be used by the Environmental Protection Agency to develop, adopt, implement, administer, or enforce any change to the regulations and guidance in effect on October 1, 2012, pertaining to the definition of waters under the jurisdiction of the Federal Water Pollution Control Act (33 U.S.C. § 1251, et seq.), including the provisions of the rules dated November 13, 1986 and August 25, 1993, relating to said jurisdiction, and the guidance documents dated January 15, 2003 and December 2, 2008, relating to said jurisdiction.

We support providing privacy protections for personal information of our Nation's farmers and ranchers that is collected by the Federal agencies. We recommend the subcommittee include language in the bill that prevents use of funding by the EPA, and other Federal agencies, to develop a clearinghouse of farm information including individual names, phone numbers, email addresses, and GPS coordinates which could then be released by the EPA, and other Federal agencies, in response to Freedom of Information Act (FOIA) requests.

We hope that you will consider these priorities for the stability of public land management and the livestock industry for fiscal year 2016 appropriations. An attached appendix lists these priorities for convenience.

Sincerely,

Dustin Van Liew  
Executive Director,  
Public Lands Council &  
National Cattlemen's Beef Association

Scott Yager  
Environmental Counsel  
National Cattlemen's Beef Association

## APPENDIX—PLC/NCBA PRIORITIES

## INTERIOR

- (1) *Range Program Funding*.—We request the committee provide funding similar to the fiscal year 2015 levels for the BLM and USFS grazing programs.
- (2) *Support Current Market Based Grazing Fee*.—We request the committee oppose any attempt to change and/or assess an arbitrary tax on top of the grazing fee.
- (3) *Sage-Grouse*.—We request the subcommittee provide direction to the agencies to defer to State management plans and further request the subcommittee extend through September 2016 the ESA listing decision timeline for USFWS's decision on the Greater Sage-Grouse.
- (4) *Antiquities Act*.—We request that livestock ranchers are protected from negative impacts brought about by monument designations.
- (5) *Protection of Water Rights*.—Block the BLM and USFS from taking water rights from ranchers.
- (6) *Block Wildlands Order*.—We request the subcommittee continue blocking funds to implement Secretarial Order No. 3310, the “wild lands” order issued by Secretary of Interior Ken Salazar on December 23, 2010. The order creates *de facto* wilderness and poses a threat to the continued multiple use of BLM lands.
- (7) *Block LCC Order*.—The Landscape Conservation Cooperatives created through Secretarial Order 3289 will not serve the West well and will likely negatively impact ranching and other multiple uses on public lands.
- (8) *Defund LWCF*.—With the exception of an amount necessary to complete current transactions, we request the subcommittee defund the LWCF—at a minimum block its use for land acquisition.
- (9) *AOI Appeals*.—We request the subcommittee exempt ranchers from the ban on appealing Annual Operating Instructions for Forest Service grazing administration.
- (10) *Remove Limits on Title of Excess Wild Horse Sales*.—We request that damaging language be removed from future appropriations bills which blocks excess horses from being sold or adopted without full title.
- (11) *Alternative Grazing Allotments*.—We request the subcommittee direct BLM and the Forest Service to provide alternative grazing allotments to ranchers that are impacted by wildfire and drought.
- (12) *Direction on Bighorn Sheep Management*.—We request Congress to direct the USFS to work with ARS on development of accurate science on the issue of potential disease transfer.
- (13) *Block the Use of Viability*.—We urge Congress to block the extra-legal use of viability to effectively make all wildlife Federal species by the USFS.
- (14) *Funding Range Improvements*.—We appreciate your continued support for range improvement and betterment funds, which have been critical to our members' ability to implement practices that improve forage condition and wildlife habitat.
- (15) *Block Climate Change in NEPA*.—We request that Congress block all attempts to insert climate change into an already burdensome NEPA process.
- (16) *Support Economic Research*.—We encourage Congress to support funding for economic impacts research for grazing on public lands.
- (17) *Support Cheatgrass Research*.—We encourage Congress to support funds for continuing promising research on using livestock grazing as tool against invasive species.

## ENVIRONMENTAL PROTECTION AGENCY

- (1) *Mandatory Greenhouse Gas Reporting for Manure Management Systems*.—We request the committee continue to include language preventing EPA from requiring livestock operations to report their emissions of greenhouse gases.
- (2) *Greenhouse Gas Regulations (Title V) for Livestock Operations*.—We request the subcommittee continue to include language preventing EPA from requiring Clean Air Act permits from livestock operations based on greenhouse gas emissions.
- (3) *Joint Rulemaking Identifying “Waters of the U.S.”*.—We request the committee include language preventing EPA and the Army Corps of Engineers from expanding their authority under the Clean Water Act.
- (4) *Protection of Farm Information*.—We recommend the subcommittee include language in the bill to prevent use of funding by the EPA, and other Federal agencies, to develop a clearinghouse of farm information including individual names, phone numbers, email addresses, and GPS coordinates of farms.

PREPARED STATEMENT OF THE NATIONAL CONFERENCE OF STATE HISTORIC  
PRESERVATION OFFICERS

Fiscal Year 2016 Historic Preservation Fund (HPF) Total Request:

- \$60 million for State Historic Preservation Offices (SHPOs), including \$10 million for a competitive grant program for finding and documenting America's historic places.
- \$15 million for Tribal Historic Preservation Offices (THPOs).
- \$32.5 million for competitive grant programs related to Civil Rights.
- \$10 million for a bricks & mortar competitive rehabilitation grant program.

Funded through withdrawals from the Historic Preservation Fund (16 U.S.C. 470h) U. S. Department of the Interior's National Park Service.

UNIQUE AND SUCCESSFUL FEDERAL-STATE PARTNERSHIP

Congress, recognizing the importance of our heritage, enacted the National Historic Preservation Act (NHPA 16 U.S.C. 470) in 1966 which established historic preservation as a priority of the Federal Government. Recognizing that States are the experts of their own history, the Act's authors directed the Federal entities charged with its implementation—the Department of the Interior and the Advisory Council on Historic Preservation—to partner with the States. Duties delegated to the SHPOs include: (1) locating and recording historic resources; (2) nominating significant historic resources to the National Register of Historic Places; (3) cultivating historic preservation programs at the local government level; (4) providing funds for preservation activities; (5) commenting on Federal rehabilitation tax credit projects; (6) review of all Federal projects for their impact on historic properties; and (7) providing technical assistance to Federal agencies, State and local governments and the private sector. HPF grant awards help States carry out these duties and require a 40 percent minimum match to the Federal appropriation.

JOBS, ECONOMIC DEVELOPMENT AND COMMUNITY REVITALIZATION

Nationwide, communities have experienced how historic preservation stimulates economic growth, promotes community education and pride, and rescues and rehabilitates significant historic resources. In many cases, historic preservation combats the effects of blight and vacancy by using the historic built environment as a catalyst for community change. These changes result in historic downtown districts and neighborhoods that are dynamic destinations for visitors and residents alike.

The Federal Rehabilitation Tax Credit (HTC) program, administered by the State Historic Preservation Offices in cooperation with the National Park Service, is an important driver for economic development. Since inception, the HTC has rehabilitated over 40,000 buildings, created nearly 2.5 million jobs and leveraged \$117 billion in private investment nationwide. On average, the HTC leverages \$5 dollars in private investment for every \$1 dollar in Federal funding creating highly effective public-private partnerships.

One of the beneficiaries of the HTC in New Mexico was the town of Las Vegas and the Charles Ilfeld Building. The Ilfeld Building, completed in 1890, is a three-story sandstone faced building considered one of the finest Italianate styled buildings in the southwest. The building served as the headquarters and flagship store for the Charles Ilfeld Company, which was one of the largest mercantile companies in the southwest. After undergoing a nearly \$7 million renovation using the HTC, the building is now incorporated into the adjacent Plaza Hotel where it provides much needed ballroom and conference space.

Historic preservation also stimulates economic development through heritage tourism. Cultural and heritage travelers spend an average of \$994 per trip and contribute more than \$192 billion annually to the U.S. economy.<sup>1</sup> SHPOs are essential, ground level partners in identifying and interpreting the historic places that attracts these visitors. A minimal \$3 million increase in SHPO funding would allow SHPOs to expand their public outreach and assistance efforts, enabling communities to take greater advantage of heritage tourism opportunities which lead to job creation, new business development and enhanced community pride.

The City of Nome, Alaska benefits from heritage tourism as annually a thousand travelers flock to Nome to watch the finish of the Iditarod Trail Sled Dog Race and take in the area's Gold Rush history, culture, and heritage. The Discovery Saloon in Nome, the oldest surviving building from the Alaska Gold Rush received help

<sup>1</sup>U.S. Cultural and Heritage Tourism Study (October 2009) conducted by Mandala Research, LLC for U.S. Cultural & Heritage Tourism Marketing Council, U.S. Department of Commerce, and Gozaic/Heritage Travel Inc., a subsidiary of the National Trust for Historic Preservation.



from the HPF. The building owners had invested time, talent and money into rehabilitating the property and the Alaska SHPO rewarded their efforts by assisting with each phase of the rehabilitation. The SHPO awarded small HPF grants to repair the walls, porch, windows, doors, and roof, bringing the oldest continuously occupied building in Nome back to its original glory.

#### FINDING AND SAVING AMERICA'S HERITAGE

Historic preservation not only generates economic development and community revitalization, it also saves historic buildings and significant places. These sites represent the many people, places, and events that have shaped our national identity. The first step in preserving and protecting America's heritage is identifying it—which requires survey, documentation and stewardship and sharing of digital historic site data. Historic site survey data is the fundamental building block of our Nation's historic preservation program; yet this key program area is sorely lacking at the current level of appropriation. The NCSHPO recently surveyed its membership and found the following results to be very alarming:

- Only 55 percent of surveyed historic resources have been digitized.
- 29.4 percent—Average percentage of each State surveyed for historic buildings.
- 5.8 percent—Average percentage of each State surveyed for historic landscapes.
- 9.9 percent—Average percentage of each State surveyed for archaeological resources.
- 71 percent of States have more than 10,000 legacy resources in need of re-survey.
- 66 percent of States report it would take 3+ years to complete survey and digitization.
- 76 percent of States report that their survey and digitization programs are piecemealed.
- 95 percent of States report lack of digital records hampers their ability to conduct project reviews.

The NCSHPO requests a minimum of \$10 million a year for the next 10 years for a competitive grant program for SHPOs to conduct historic resource identification, documentation and digitization activities. Having accurate, up-to-date, digitally accessible information on our Nation's historic resources would dramatically increase the efficiency and effectiveness of all local, State, and Federal projects. From deciding on the design of local in-fill development, to State transportation planning projects, to Federal large-scale energy projects and disaster recovery efforts—every single project, and the American people would benefit.

Once identified and documented, America's historic resources are primarily recognized at the local, State, and national levels by listing on National and State Historic Registers. State Historic Preservation Officers, through the authority of the National Historic Preservation Act assist, support and encourage communities with their efforts. National Register recognition by the Secretary confirms citizens' belief in the significance of their community.

The National Historic Preservation program is primarily one of assistance, not acquisition. The Federal Government does not own, manage, or maintain responsibility for most of the historic assets in the National Historic Preservation program. Instead, the program, through the SHPOs, provides individuals, communities, and local, State, and Federal Government with the tools they need to identify, preserve, and utilize the historic assets of importance to them.

In addition to the SHPO funding, the NCSHPO supports the Tribal Historic Preservation Offices (THPO) request of \$15 million. THPOs assume the Federal compliance role of the SHPO on their respective Tribal lands. In fiscal year 2013, 136 tribes received an average of \$60,000—more than \$20,000 less than when the program first started. With no funding increase and the continued growth of the program, the average THPO grant will continue to decrease.

The NCSHPO also requests \$3 million for grants to State and Tribal Historic Preservation Offices for the survey and nomination of properties associated with communities currently underrepresented in the National Register and as National Historic Landmarks, as well as \$10 million for a nationally competitive rehabilitation grant program. The NCSHPO also supports the administration's request of \$30 million for competitive grants to preserve the sites and stories related to the Civil Rights movement and \$2.5 million for a similar program for Historically Black Colleges and Universities.

#### HISTORIC PRESERVATION FUND (HPF) REAUTHORIZATION

The current authorization of the HPF expires on September 30, 2015. This testimony only touches on the invaluable economic and social value that historic preser-

vation stimulates throughout our Nation, all of which would not be accomplished but for the HPF. The NCSHPO requests that the subcommittee support a reauthorization of the HPF that includes full and permanent funding, as intended at \$150 million per year.

#### 2014 STATE HISTORIC PRESERVATION OFFICES' ACCOMPLISHMENTS

SHPOs used their HPF allocations well in 2014. While virtually every State continues to experience staffing and operational reductions, SHPOs are still charged with implementing the requirements of the NHPA to the fullest extent. Highlights of 2014 historic preservation accomplishments include:

- Reviewing nearly 103,000 Federal undertakings within a 30-day review period.
- Leveraging over \$4.32 billion of private investment in the rehabilitation of commercial historic properties under the HTC program.
- An estimated 77,750 jobs created by the HTC program in 2014.
- Creating over 6,600 low and moderate income housing units through the HTC.
- Surveying approximately 16.5 million acres for the presence or absence of cultural resources.
- Adding 1,030 new listings to the National Register of Historic Places.
- Issuing 82,200 National Register eligibility opinions.
- Assisting 39 new communities to become Certified Local Governments (CLGs).

#### CONCLUSION

On behalf of all 59 SHPOs, I'd like to thank you Chairman Murkowski, Ranking Member Udall, and members of the Senate and House Appropriations Subcommittee on Interior, Environment and Related Agencies for the opportunity to submit testimony.

Historic preservation recognizes that what was common and ordinary in the past is often rare and precious today, and what is common and ordinary today may be extraordinary—50, 100 or 500 years from now. I would like to thank the subcommittee for their commitment to historic preservation. The Federal Government plays an invaluable role in preserving our Nation's history and our collective sense of place. Through our partnership, SHPOs remain committed to working together to identify, protect, and maintain our Nation's heritage. Thank you.

[This statement was submitted by Elizabeth Hughes, *President*.]

#### PREPARED STATEMENT OF THE NATIONAL CONGRESS OF AMERICAN INDIANS

On behalf of the National Congress of American Indians (NCAI), we thank you for considering NCAI's testimony on Native American programs in this subcommittee's jurisdiction. As the most representative organization of American Indian and Alaska Native tribes, NCAI serves the broad interests of tribal governments across the Nation. This testimony addresses tribal funding in the Department of the Interior, Indian Health Service, and Environmental Protection Agency.

Effective tribal government, with all the necessary tools and resources to address the public service needs of their people, represents a key component for any balanced tribal nation. The leaders and citizens in Indian Country carry the potential and insights to address the reverberations of historical trauma, the lingering effects of relocation, forced assimilation, broken treaties, and economic and political injustices generally. The trust relationship in the 21st Century must maintain the nation-to-nation treaty obligations, such as the provision of education, public safety, healthcare and more, while promoting tribal capacity and governance.

NCAI includes recommendations for Interior and Indian Health Service, but the fiscal year 2016 Indian Country Budget Request includes many more details of these recommendations.<sup>1</sup> NCAI also supports the testimony of the National Indian Health Board, National Indian Child Welfare Association, National Indian Education Association, and American Indian Higher Education Consortium.

#### DEPARTMENT OF THE INTERIOR

In preparation for the President's budget, the Interior Department consulted with tribes about programs in the budget, and some recommendations from Indian Country are included in the fiscal year 2016 proposal. The budget proposes an overall

<sup>1</sup>National Congress of American Indians. (January 2015). Fiscal year 2016 Indian Country Budget Requests: Promoting Self-Determination, Modernizing the Trust Relationship. Washington, DC: Author.

increase of 12 percent for BIA over the fiscal year 2015 enacted level, the largest increase in more than a decade (excluding Recovery Act funding). The fiscal year 2016 budget for the Operation of Indian Programs (OIP) account is \$2.7 billion, an increase of \$231.4 million above the fiscal year 2015 level, an increase of about 9 percent. The fiscal year 2016 budget request for Construction is \$189.0 million, an increase of \$60.1 million (or about 46.6 percent) above the fiscal year 2015 level. These increases are desperately needed throughout Indian Country and NCAI urges Congress to keep them in the fiscal year 2016 appropriations bill.

Tribes at NCAI conferences continue to call the Federal funding of treaty and trust obligations a Quiet Crisis.<sup>2</sup> The increase of 12 percent in BIA overall is higher than the overall percentage increase for the entire Interior budget, which would be nearly 8 percent over the fiscal year 2015 enacted level.

This request is very encouraging to tribal leaders who have been struggling to meet urgent demands in their communities but with inadequate resources to do so.

**Mandatory Contract Support Costs.**—The fiscal year 2016 budget includes a proposal to reclassify contract support costs as permanent funding beginning in fiscal year 2017. NCAI and tribes have called for moving contract support costs to mandatory funding in resolutions across Indian Country and in NCAI's tribal budget requests. The fiscal year 2016 request also will fully fund contract support costs, based on the most recent BIA and IHS analysis. If enacted, permanent funding for Contract Support Costs (CSC) will help stabilize this vital funding as called for in tribal consultation over many years. Consultation will be held on the proposal, but tribes are looking forward to the reclassification, if possible even in fiscal year 2016. Although NCAI would prefer that all treaty obligations in the Federal budget were classified as mandatory, the CSC proposal is a very strong expression of support for Indian Self-Determination and we hope Congress will support it.

**One-Stop Tribal Support Center.**—The budget request acknowledges BIA's important role as a central Federal services provider and coordinator in proposing \$4 million to establish a One-Stop Tribal Support Center. The proposal would support tribes in accessing services across the Federal Government. NCAI considers this an important proposal that could provide much needed technical support for tribal governments. The Office of Management and Budget (OMB) has released a Native American cross cut, which shows a large range of Federal funds that are available to tribes. Tribal leaders have requested details on the type of Federal resources, such as whether the funds are baseline recurring funding streams, competitive grants, tribal set-asides, or State pass through funds. While anticipating the outcome of the Department of the Interior's (DOI) tribal consultation and work through the White House Council on Native American Affairs to develop the center, NCAI considers the concept overall beneficial for Indian Country. While the goal of the center is to facilitate streamlined communication and information exchange to help tribes easily access Federal programs and opportunities, emphasis should be made on stable base funding for tribal governments.

**BIA Data Initiative.**—The President's budget includes \$12 million to improve Evidence and Evaluation to Support Indian Affairs Activities. The proposed funding will be used to improve Federal data quality and availability, to work with the U.S. Census Bureau to address data gaps for Indian Country, and create a capability within DOI's Office of Policy Analysis to support effective, data-driven, tribal policy making and program implementation. The goals include improving program performance, delivering more effective services, and helping deliver results to Indian Country. NCAI agrees that tribal leaders and communities need access to quality data and information as they make decisions, and has supported tribally driven efforts in the past, such as the Tribal Data Exchange. The proposal includes \$2 million for internal capacity building to study Indian Affairs policy, evaluate programs, and develop tribal datasets to support tribal decisionmaking. The proposal would offer staff to address statistical, economic, and evaluation issues. A second element of the proposal is \$9 million for agreements with the Census Bureau to improve tribal data and address data gaps. The work would be to develop, test, and implement additional tribal data collection, increase the sample sizes for data collections on Indian lands, and develop protocols and datasets to allow Federal agencies to present a more accurate socioeconomic statistics for Indian Country. The third element is \$1 million for outreach and consultation on data collection to address data and evidence gaps. Tribal leaders and decision-makers need the tools to define the contours of the modern Indian Country economy and whether the Federal Government is meeting its trust responsibility.

<sup>2</sup>U.S. Commission on Civil Rights. (2003). *A quiet crisis: Federal funding and unmet needs in Indian Country*.

The data initiative could help BIA address NCAI's resolution ATL-14-084, "Recommendations for Addressing the State of Emergency in Federal Underfunding of the Trust Responsibility." Recommendations include: (1) all agencies must be required to regularly assess unmet obligations to tribes, comparing needs with available resources and identifying gaps in service delivery; (2) an assessment similar to the Indian Health Service's Federal Disparity Index should be replicated by other agencies, with the results used to prioritize spending and assess the status of programs; (3) a full-scale evaluation must analyze the spending patterns of every Federal agency's funding of trust responsibilities; (4) OMB must develop government-wide standards for tracking spending on tribal programs.

*Tiwahe.*—The fiscal year 2016 budget would provide \$15 million to expand the Tiwahe Initiative, \$6 million more for Social Services (under BIA Human Services), \$4 million more for law enforcement for alternatives to incarceration and \$5 million more for aid to tribal family courts. NCAI strongly supported this initiative last year and urges Congress to continue funding for this initiative.

The Social Services Program provides a wide array of family support services filling many funding gaps for tribal programs and ensuring Federal support for these programs. Importantly, the Social Services Program provides the only BIA and tribal-specific funding available for child protective services in Indian Country. It also funds BIA social workers at regional and agency offices and technical assistance to tribal social service programs. These funds are desperately needed. A recent assessment of BIA social services found that, in large part due to inadequate funding, tribes report frequent vacancies and staff turnover.<sup>3</sup> Tribes commend the \$5 million fiscal year 2015 increase and urge that the momentum be continued. Another \$6 million must be appropriated for this program.

NCAI also supports funding under the Indian Child Protection and Family Violence Prevention Act: \$10 million for the Indian Child Abuse Treatment Grant Program, \$30 million for the Indian Child Protection and Family Violence Prevention Grant Program, and \$3 million for the Indian Child Resource and Family Service Centers Program. Increased investments in ICWA funds and Welfare Assistance should also be included.

The \$5 million increase for tribal courts is also critical, which will complement the additional resources in Law Enforcement Special Initiatives, ensuring that the judicial branch of tribal public safety systems can effectively meet family and community needs under the Tiwahe initiative.

*Education* would see an increase of \$138.4 million for BIE activities and construction. Increases include: \$45.5 million for Elementary and Secondary Education; \$12.9 million to fully fund Tribal Grant Support Costs; \$10 million for the Education Program Enhancement program for incentive funding; \$20 million for BIE maintenance and operations; \$34.2 million for education information technology to enhance broadband and digital access; \$4.6 million for scholarship and adult education and an increase of \$250,000 for Special Higher Education Scholarships; \$2.6 million for Johnson O'Malley. Education Construction would receive a \$58.7 million increase, for a total of \$133.2 million. The increase includes \$25.3 million for replacement school construction to complete construction on the final two schools on the 2004 replacement school priority list. Tribal leaders have strongly supported education in Indian Country, specifically scholarships and adult education as well as Johnson O'Malley.

*BIA Natural Resources* would receive an important increase of \$48 million over fiscal year 2015 for sustainable resource management and preparing and responding to the impacts of climate change, such as drought, wildfires, changes to plants and animals important to subsistence and culture, rights protection, coastal erosion and rising sea levels.

#### INDIAN HEALTH SERVICE

The Indian Health Service budget (IHS) request for fiscal year 2016 of \$5.1 billion in budget authority is an increase of \$460.6 million (9.9 percent) above the fiscal year 2015 enacted level. Tribes have requested \$5.4 billion for the agency in budget formulation. While the IHS budget has made gains in the last several years, many of the increases funded contract support costs obligations, inflation and population growth.

<sup>3</sup>Department of the Interior, Office of Inspector General. (2012). Management of social services in BIA: Opportunity for action (Report No. WR-EV-BIA-0001-2012). (pp. 5-6).

## ENVIRONMENTAL PROTECTION AGENCY (EPA)

NCAI supports EPA's requested an increase of \$31 million for the Tribal General Assistance Program. This increase in base funding will increase the average size of grants made to eligible tribes and further EPA's partnership with tribes to address a wider set of program responsibilities. EPA acknowledges that tribal communities need assistance to address sanitation and drinking water infrastructure. To help address this situation, EPA is requesting a tribal funding floor of 2 percent, or \$30 million for the Clean Water State Revolving Fund (SRF) or \$20 million for the Drinking Water SRF, whichever is greater, of the funds appropriated in fiscal year 2016. NCAI supports the efforts to address sanitation and drinking water infrastructure in Indian Country.

## CONCLUSION

Many factors contribute to restoring wellness to Indian Country: developing sanitation systems,<sup>4</sup> increasing tribal self-determination and accountability, easing housing overcrowding,<sup>5</sup> addressing transportation needs, lowering poverty rates, eliminating food insecurity,<sup>6</sup> and strengthened tribal child welfare programs,<sup>7</sup> for instance, all support health and wellness. Tribal nations and leaders often apply a holistic approach to healing, drawing on a sense of connectedness with culture, place and land. The Federal Government, in meeting its treaty and trust obligations, plays a key role in Indian Country. Thank you for the opportunity to share these views with the subcommittee. The needs in Indian Country are great and we thank this subcommittee for working in a bipartisan manner to honor the treaties and agreements made between our ancestors.

## PREPARED STATEMENT OF THE NATIONAL ENVIRONMENTAL SERVICES CENTER

Chairperson Murkowski, Ranking Member Udall, and members of the subcommittee:

Thank you for the opportunity to offer testimony to the Subcommittee on Interior Environment and Related Agencies. We recommend that within existing funding levels, the USEPA Office of Wastewater Management (OWM) be directed to provide at least 20 percent of the Clean Water State Revolving Fund annually to support the use of onsite and decentralized wastewater treatment systems. We further recommend that 20 percent of the EPA's OWM budget be dedicated to providing staffing and resources for the Office of Decentralized Wastewater. Implementing this recommendation will help address the lack of Federal support for the 85 million people in the U.S. dependent on decentralized wastewater treatment, many in small, rural and disadvantaged communities.

*Introduction*

I am Gerald Iwan and I am the executive director of the National Environmental Services Center (NESC), at West Virginia University. Since 1976, NESC has been home to the National Small Flows Clearinghouse (NSFC), National Drinking Water Clearinghouse (NDWC) and National Environmental Training Center for Small Communities (NETCSC). These centers have distributed comprehensive drinking water and wastewater information and services nationally to small rural and disadvantaged communities. Since their inception, they assisted communities with developing and maintaining onsite septic or decentralized wastewater treatment systems. In 1999, NESC began administering the State Onsite Regulators Alliance (SORA), the only national association of State onsite wastewater regulators in the United States. SORA provides the resources and venues for State regulators to share information among each other and the wastewater industry on decentralized wastewater regulatory and technology issues. SORA was instrumental in collabo-

<sup>4</sup> Indian Health Service. (2000). The Sanitation Facilities Construction Program of the Indian Health Service, Public Law 86-121 Report for 2000.

<sup>5</sup> U.S. Centers for Disease Control. (2008) National Hospital Ambulatory Medical Care Survey: 2006 Emergency Department Summary. Retrieved from <http://www.cdc.gov/nchs/data/nhsr/nhsr007.pdf>.

<sup>6</sup> Cook, J. T., Frank, D. A., Levenson, S. M., Neault, N. B., Heeren, T. C., Black, M. M., Berkowitz, C. Casey, P. H., Meyers, A. F., Cutts, D. B., & Chilton, M. (2006). Child Food Insecurity Increases Risks Posed by Household Food Insecurity to Young Children's Health. American Society for Nutrition.

<sup>7</sup> U. S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention. (2014). Attorney General's Advisory Committee on American Indian/Alaska Native Children Exposed to Violence: Ending violence so children can thrive (p. 51).

rating with the USEPA in developing guidance for the management of decentralized wastewater systems following EPA's 1997 report to Congress on the use of decentralized wastewater treatment systems. It is currently, along with NESC, an original member of the EPA Decentralized MOU Partnership, which advises EPA on decentralized wastewater management.

NSFC, NETC and SORA were products of the 1977 Clean Water Act (CWA) and its subsequent reauthorizations. CWA mandated the NSFC to collect, distribute information, and provide training about wastewater treatment to small and rural communities. Thousands benefited from our water and wastewater technical assistance. EPA programs and management account funding for these activities ceased in 2005 along with much of the services previously provided.

#### *Need*

State regulators, technical assistance providers and the decentralized wastewater industry have long recognized a number of positive benefits provided by decentralized wastewater systems, including: job creation, water quality protection, aquifer recharge, affordability, low maintenance and the ability for people to live where municipal wastewater treatment is not feasible or available. For smaller communities, decentralized and onsite systems can usually be built and maintained more economically than municipal wastewater treatment plants and sewers. Larger utilities often consider decentralized systems as an option to help offset the costly replacement of aging wastewater infrastructure. Properly designed, sited, constructed and maintained decentralized systems supported by well-trained professionals and knowledgeable State regulators, is a fiscally responsible approach to public health and environmental protection.

A recent survey of SORA regulators, conservatively estimated that approximately 27 percent of the U.S. population or 85 million people are served by onsite systems. Onsite or decentralized systems are a permanent and necessary part of the U.S. wastewater infrastructure for over a quarter of our population. However, EPA provides relatively little funding or support for decentralized wastewater compared to that directed to municipal wastewater treatment. As examples, less than 1 percent of Clean Water State Revolving Loan funds is distributed to decentralized projects annually, there is no direct Federal funding available to States for decentralized wastewater regulatory programs, and EPA's own decentralized wastewater program has only one full time staff person.

#### *Request*

Having 35 years of expertise in decentralized wastewater treatment and management, and from our daily interactions in providing water and wastewater services to small, rural and often-disadvantaged communities, we are recommending that:

1. At least 20 percent of EPA's annual contribution to the Clean Water State Revolving Fund be designated to supporting the construction and use of onsite and decentralized wastewater treatment systems. Those funds should be distributed by the regulatory authority in each State that directly oversees and enforces onsite wastewater treatment,
2. At least 20 percent of the Office of Wastewater's funding be dedicated to increasing staffing and programmatic resources for the Office of Decentralized Wastewater.

NESC believes that by redirecting OWM funding as recommended above, positive results can be realized for the Nation's wastewater infrastructure, economy and the population dependent on onsite systems by:

- Significantly expanding EPA's training of industry professionals through grants to entities, which exclusively specialize in decentralized training.
- Providing the resources that assure homeowners, business owners and industry professionals have an up-to-date source of information on decentralized technology.
- Providing direct financial and staff support to State onsite wastewater programs to increase training and support better development and enforcement of State regulations.
- Expanding research grants and onsite wastewater training centers and demonstration projects to help local decision-makers and design engineers better understand the benefits of onsite and decentralized wastewater treatment systems and technologies.

## PREPARED STATEMENT OF THE NATIONAL GROUND WATER ASSOCIATION

The National Ground Water Association (NGWA) requests that \$3.6 million be allocated to the Department of Interior, United States Geological Survey (USGS) Water Resources Program account to continue implementation and maintenance of a national groundwater monitoring network (NGWMN). NGWA is the world's largest association of groundwater professionals, representing public and private sector engineers, scientists, water well professionals, manufacturers, and suppliers of groundwater related products and services.

Water is one of the most critical natural resources to human, ecosystem and economic survival. Nationally, more than 41 percent of the drinking water supply comes from groundwater and in some locations it is relied on by 80 percent of Americans. Groundwater also serves as a key source of agricultural irrigation water, as well as for other critical economic purposes.

While the Nation's people, food supply, economy and ecosystems depend on groundwater, no systematic nationwide monitoring network is in place to measure what is currently available and how groundwater levels and quality may be changing over time.

As with any valuable natural resource, our groundwater reserves must be monitored to assist in planning and minimizing potential impacts from shortages or supply disruptions. Just as one cannot effectively oversee the Nation's economy without key data, one cannot adequately address the Nation's food, energy, economic, and drinking water security without understanding the extent, availability and sustainability of a critical input—groundwater.

Congress acknowledged the need for enhanced groundwater monitoring by authorizing a national groundwater monitoring network with passage of Public Law 111–11 (Omnibus Public Land Management Act) in 2009 and viability of the network was proven through the completion of pilot projects in six States—Illinois, Indiana, Minnesota, Montana, New Jersey, and Texas. These States voluntarily pilot tested concepts for a national groundwater monitoring network as developed by the Federal Advisory Committee on Water Information's (ACWI) Subcommittee on Ground Water (SOGW).

\$2.6 million in funding was provided in fiscal year 2015 through Public Law 113–235 the Consolidated and Continuing Appropriations Act, which will help to begin implementation of the national network. However, fiscal year 2015 funding will only allow implementation to begin across a handful of States. Additional funding for fiscal year 2016 is requested to allow for implementation across more States.

Once implemented nationwide, the NGWMN would provide consistent, comparable nationwide data accessible through a public web portal for Federal, State, local government and private sector users. In these tight fiscal times, the proposed network would build on existing State and Federal investments, maximizing their usefulness and leveraging current dollars to build toward systematic nationwide monitoring of the groundwater resource.

Funding from the NGWMN will be used for two purposes:

1. Provide grants to regional, State, and tribal governments to cost share increased expenses to upgrade monitoring networks for the 50 States to meet the standards necessary to understand the Nation's groundwater resources.
2. Support the additional work necessary for USGS to manage a national groundwater monitoring network and provide national data access through an Internet web portal.

Though the amount requested is small in the context of the Department of Interior's annual budget request, funding is vital when we understand that for a small investment we can begin finally to put in place adequate monitoring of the hidden resource that provides more than 40 percent of the Nation's drinking water supply and serves as a key driver for our agricultural economy. Thank you for your consideration of this request.

The National Ground Water Association is a not-for-profit professional society and trade association for the groundwater industry. NGWA is the largest organization of groundwater professionals in the world. Our more than 11,000 members from all 50 States and 72 countries include some of the leading public and private sector groundwater scientists, engineers, water well contractors, manufacturers, and suppliers of groundwater related products and services. The Association's vision is to be the leading community of groundwater professionals that promotes the responsible development, use and management of water resources.

PREPARED STATEMENT OF THE NATIONAL HORSE & BURRO RANGELAND MANAGEMENT COALITION

The National Horse & Burro Rangeland Management Coalition appreciates the opportunity to submit testimony regarding the fiscal year 2016 appropriations for the Bureau of Land Management Wild Horse & Burro Program. The National Horse & Burro Rangeland Management Coalition includes a wide range of sportsmen's, livestock, wildlife, and land conservation organizations and professional societies. Collectively, we represent millions of Americans and focus on commonsense, ecologically sound approaches to managing horses and burros to promote healthy wildlife and rangelands for future generations.

Our coalition is concerned about the exponentially growing population of wild horses and burros on our Nation's rangelands and the lack of effort proposed in the President's fiscal year 2016 budget to reduce the threat this poses to our Nation's rangelands.

As of March 1, 2014, wild horse and burro populations surpassed 49,000 animals on BLM-rangelands. This threshold exceeds the BLM estimated ecologically sustainable level of 26,684 horses and burros by more than 22,500. With the documented potential for 20 percent annual population increase, there are likely more than 58,000 animals currently on the range—that means horses and burros already exceed 215 percent of capacity for appropriate range management.

This extreme level of overpopulation by an invasive species negatively impacts the country's rangelands, risking the future of the ecosystem. By continuing to allow horses and burros to exceed sustainable levels, the BLM is placing the future of wildlife, rangelands, livestock operations, and the horses and burros themselves, in jeopardy.

The focus of the BLM Wild Horse & Burro program should revert to its original purpose and stated goal of achieving appropriate management levels (AML). Direct removal of horses and burros from impacted regions will aid in AMLs being achieved while simultaneously reducing their impact on the supporting ecosystem.

The President's fiscal year 2016 budget proposal plans for the removal of only 2,000 horses and burros from the country's rangelands. Unfortunately, this limited number does very little to protect our Nation's rangelands from the growing negative impacts of overpopulated horses and burros.

Wild horse populations typically grow by 20 percent per year and double in size every 4–5 years. At the current rate, the wild horse population will likely grow by 9,000 animals in 2015, even with the planned removal of 2,000 horses. As a result, we could see as many as 67,000 wild horses and burros degrading the country's rangelands by 2016—exceeding 250 percent of capacity for appropriate rangeland management. This is an unacceptable rate of increase for a population that already greatly exceeds AMLs. Such population numbers will continue to cause an unacceptable level of damage to a valuable asset for our country.

We appreciate the BLM's increased attention to fertility control methods, as we believe that scientifically based use of fertility control (e.g., proven to be effective and safe) can be an important component to the solution to this problem. However, fertility control alone does not solve the problem and should not be the primary approach. There are currently Herd Management Areas (HMA) more than 500 percent over AML. Fertility control methods, if they are effective in reducing pregnancies, will only help maintain population levels in the short term, not reduce them. Direct removal of wild horses and burros from the range is the only way to achieve AMLs in a reasonable amount of time.

Without an increase in the rate of removal of horses and burros, populations will continue to expand and our Nation will witness not only growing degradation to its rangeland ecosystem, but also growing costs to its taxpayers.

We urge this committee and other members of Congress to address this increasing problem for our Nation's valuable rangelands by directing the BLM to remove horses and burros at a rate substantial enough to produce impactful results and protect our resources.

Thank you for considering the input of our coalition.

American Farm Bureau Federation, American Sheep Industry Association, Masters of Foxhounds Association, Mule Deer Foundation, National Association of Conservation Districts, National Cattlemen's Beef Association, National Rifle Association, National Wildlife Refuge Association, Public Lands Council, Public Lands Foundation, Rocky Mountain Elk Foundation, Safari Club International, Society for Range Management, and The Wildlife Society.



## PREPARED STATEMENT OF THE NATIONAL HUMANITIES ALLIANCE

Mr. Chairman and members of the subcommittee:

My name is Tamara Mann and I am the John Strassburger Fellow at Columbia University. I am writing to testify on behalf of the National Humanities Alliance in support of the National Endowment for the Humanities.

My first class as a college professor started at 9 a.m. It was only 7:30 and I was pacing the small seminar room, fretting about a course I had long admired but never imagined I would actually teach. Every summer for the past 6 years, 30, low-income, minority public high school students, arrive on Columbia University's campus to take an intensive Great Books course as part of the Freedom and Citizenship Program. For a veteran teacher, the syllabus is challenging: one day Plato, the next Aristotle, and then on to Locke, Jefferson, Lincoln, and King. For a novice, it is completely terrifying.

My students arrived on time. They ambled into the seminar room, some laughing, others stoic, all clutching their copies of *The Trial and Death of Socrates*. As they sat down, I knew that they desperately, aching, wanted to be in this room. Their parents hadn't gone to College and there they were, in high school, sitting around a Columbia University seminar table. I recalled what Professor Roosevelt Montàs said to me when I agreed to take on the course, "be quiet and be curious."

That first day of class I sat quietly for a minute or two and then opened our time together with a question: what fills you with a sense of wonder? Their answers were tender and earnest; they ranged from observations about primary colors to the miracle of small acts of kindness. And then came Quanisha. "I'll tell you," she offered, "but don't laugh. I *wonder* what this guy Socrates is saying. I just don't understand him. I have been up all night. I read this three times and I don't know what he is saying and I wonder about it." So our class really began.

It was Socrates' description of wisdom that caused the most confusion. "I don't get it," Lanique piped, "he is wise and not wise, but wiser than other people and still ignorant. That doesn't seem very wise to me." "Look closely at the passage in front of you," I said, "what do you think Socrates is trying to say?"

Gabriel spoke up, "I think he is saying that you're not wise if you think you know something that you don't know. It's like a person who knows a lot about one subject and just because of that he thinks he knows about everything." "So, how would you describe this definition of wisdom?" I followed. "Maybe wisdom is just knowing what you don't know," he replied. Laura and Genesys smiled. Now we could all remain in the classroom and claim to be wise, just by admitting what we did not know. Fabulous!

"But wait," questioned a soft voice to my left. "Is that enough?" Fatoumata leaned into our seminar table. "How can it be enough to just say you don't know? Don't we have to do more? Don't we have to figure out how we could learn about a subject?" The class found its rhythm and my students, drawing deeply from their reading of Socrates, debated the contours of wisdom, knowledge, and learning for the greater part of an hour. The morning ended with our own working definition of wisdom that we would try to apply to our future classes, "Wisdom is being upfront about what you don't know and then carefully, ploddingly, figuring out how you would learn more about it."

As the summer progressed, the questions and the wonder continued. "Man is born free and everywhere he is in chains," read Mystery but "Why does Rousseau think we are born free? Is anyone really born free?" My students pounced; everyone had a contribution. That day their comments didn't just come from the text, they came from them. They talked about the challenges of living with a parent suffering from drug addiction, the insecurity they felt in foster care, and the daily hardships of poverty.

That summer we didn't just discuss freedom as an abstract concept; we discussed what that word meant to us as individuals, as members of families, and as citizens of our shared country.

At the end of class, after a particularly harrowing conversation about all of the challenges my students faced, Heebong sighed and voiced our collective sense of defeat, "but what can we do about these issues. They are so . . . big."

We could have ended there. If I were alone, I probably would have. But we were in a classroom and we had started with Socrates. "We need to get wise," said Fatoumata, at first quietly and then emboldened by a chorus of her peers, "We need to get wise." These extraordinary students then started designing a plan of study, a course of intellectual action to learn how to tackle the problems they had faced. Their plan of action required knowledge produced by biologists, physicians, psychologists, philosophers, politicians, and sociologists, to name only a few. These students understood that the great human problems of their generation were at once

structural and personal. To solve them, they needed an education in the sciences and the humanities.

When Professor Montàs reflects on the purpose of a humanities education he explains, “In most disciplines, the subject to be learned is at the center. . . . In this field of study, the student, the individual as a living growing entity, is at the center.” Today, I ask you to support programs like this one. Programs that don’t only give students content but actually help them understand the purpose and meaning of that content.

My students came to this course because it was a means to an end—college. They left the course almost embarrassed by the shortsightedness of that goal. As one student put it “Now I want to go to college not just to get there but to really learn something, so that I can give back; it’s not just about me and my success but about what I can do with it.” This is exactly why we have to support the humanities. It is courses like these that turn us from students of a topic into citizens of our great country.

This is just one of the many programs that provide rich humanities content to underserved populations across the country, paving the way for personal achievement and civic engagement. The National Endowment for the Humanities has been a leader in supporting many of these programs. By way of the State humanities councils, the Endowment has long supported *Clemente Courses in the Humanities*, which provides a rigorous education in literature, philosophy, American history, art history, and critical thinking and writing for adults facing economic hardship. Students receive credit from Bard College, and the course strives to create a bridge to higher education by developing the skills, confidence, and motivation necessary to succeed in that context. Other programs include literacy initiatives for low-income families; research and teaching grants to community colleges, tribal colleges, historically black colleges and universities, and Hispanic serving institutions; and with fiscal year 2016 funding, grants to museums, libraries and cultural organizations that reach at-risk audiences.

In the past few years, the Endowment has focused particularly on supporting veterans in their transition to civilian life. Since 2013, NEH has awarded grants to the *Warrior-Scholar Project*, which offers a two-week “humanities boot camp” to aid in veterans transition from the military to college. Currently hosted at three universities and—thanks to support from NEH—will be offered to an additional eight campuses in the summer of 2015. Through small grants to all of the State councils, the Endowment has also enabled reading and discussion programs for veterans in VA hospitals, community centers, and public libraries using great works of literature and public performances for and involving veterans that draw on timeless themes from classical Greek dramas of soldiers returning home from war. As noted in the agency’s appropriation’s request, expanding these programs is one of the Endowment’s key goals for fiscal year 2016.

To ensure that programs such as these continue to reach underserved communities—and that the humanities research, K–16 teaching, and historical preservation that underpins them continues as well—I ask you to support full funding for the National Endowment for the Humanities. Thank you very much for the opportunity to submit this testimony.

Founded in 1981, the National Humanities Alliance advances national humanities policy in the areas of research, preservation, public programming, and teaching. More than one hundred organizations are members of NHA, including scholarly associations, humanities research centers, colleges, universities, and organizations of museums, libraries, historical societies, humanities councils, and higher education institutions.

The Freedom and Citizenship Program at Columbia University enrolls low-income rising high school seniors from New York City schools in a rigorous college-level summer seminar. They read major works of political and moral philosophy from the ancient world to the present and explore the rights and responsibilities of citizenship. In the ensuing academic year, the students collaborate on a project that allows them to apply themes and ideas they explored in the summer to an issue in contemporary public life. Since it was founding in 2009, 100 percent of its participants have attended college.

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#### PREPARED STATEMENT OF THE NATIONAL INDIAN CHILD WELFARE ASSOCIATION

The National Indian Child Welfare Association (NICWA) is a national American Indian/Alaska Native (AI/AN) nonprofit organization. NICWA has provided leadership in the development of public policy that supports tribal self-determination in child welfare and children’s mental health systems for over 30 years. This testimony

will provide recommendations for programs administered by the Bureau of Indian Affairs (BIA) in the Department of the Interior.

| Program Title   | Authorizing Statute           | Current Fiscal Year 2015 (million) | Recommended Fiscal Year 2016 (million) |
|---|-------------------------------|------------------------------------|--|
| Indian Child Protection & Family Violence Prevention Act:             |                               |                                    |  |
| Indian Child Abuse Treatment Grant Program .....                      | 25 USC § 3208 (\$10m) ....    | \$0                                | \$10                                   |
| Indian Child Protection and Family Violence Prevention Grant Program. | 25 USC § 3210 (\$30m) ....    | 0                                  | 30                                     |
| Indian Child Resource and Family Service Center Program.              | 25 USC § 3209 (\$3m) .....    | 0                                  | 3                                      |
| Indian Child Welfare Act:   |                               |                                    |  |
| ICWA on-reservation program .....                                     | 25 USC § 1931 .....           | 15.6                               | 18.1                                   |
| ICWA off-reservation program .....                                    | 25 USC § 1932 .....           | 0                                  | 5                                      |
| ICWA self-governance funds .....                                      | 25 USC § 1931/25 USC § 458cc. | 8.5                                | 11                                     |
| General Welfare .....   | 25 USC § 13 .....             | 74.8                               | 80                                     |
| Social Services .....   | 25 USC § 13 .....             | 40.8                               | 46.8                                   |

Congress has unequivocally recognized that there is nothing “more vital to the continued existence and integrity of Indian tribes than their children.” (25 U.S.C. § 1901[3] [2006]). Congress must promulgate a budget that empowers tribes to provide the programs and services necessary to safeguard their children and strengthen their families. A recent report from the Attorney General’s Advisory Committee on American Indian/Alaska Native Children Exposed to Violence emphasized this very point:

Congress and the executive branch shall direct sufficient funds to AI/AN tribes to bring funding for tribal criminal and civil justice systems and tribal protection systems into parity with the rest of the United States and shall remove barriers that currently impede the ability of AI/AN nations to effectively address violence in their communities. The Advisory Committee believes that treaties, existing law, and trust responsibilities are not discretionary and demand this action.<sup>1</sup>

As this recommendation suggests, Congress must prioritize the safety and well-being of all children. According to the advisory committee, “AI/AN children are generally served best when tribes have the opportunity to take ownership of the programs and resources they provide.”<sup>2</sup> The recommendations below suggest funding increases that will provide tribes with sufficient child welfare funding and avoid unnecessary restraint on tribal decisionmaking. We urge Congress, as they make budgetary decisions for fiscal year 2016, to not forget AI/AN children and families.

#### PRIORITY PROGRAM RECOMMENDATION

*Indian Child Protection and Family Violence Prevention Act Recommendation.*—Appropriate for the first time \$43 million for the three grant programs under this law—\$10 million for the Indian Child Abuse Treatment Grant Program, \$30 million for the Indian Child Protection and Family Violence Prevention Grant Program, and \$3 million for the Indian Child Resource and Family Service Centers Program to protect AI/AN children from child abuse and neglect.

The Indian Child Protection and Family Violence Prevention Act (ICPFVPA), Public Law No. 101–630 (1991), was enacted to fill gaps in tribal child welfare services—specifically child protection and child abuse treatment—and to ensure better coordination between child welfare and domestic violence programs. The act authorizes funding for two tribal programs: (1) the Indian Child Protection and Family Violence Prevention Program, which funds prevention programming and supports investigations of family violence and emergency shelter services; and (2) the Treatment of Victims of Child Abuse and Neglect program, which funds treatment programs for victims of child abuse. It also authorizes funding to create Indian Child Resource and Family Service Centers at each of the BIA regional offices.

<sup>1</sup> U. S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention. (2014). *Attorney General’s Advisory Committee on American Indian/Alaska Native Children Exposed to Violence: Ending violence so children can thrive* (p. 51). Retrieved from <http://www.justice.gov/sites/default/files/defendingchildhood/pages/attachments/2014/11/18/finalaianreport.pdf>.

<sup>2</sup> *Ibid.*

Child abuse prevention funding is vital to the well-being and financial stability of AI/AN communities. Beyond the emotional trauma that maltreatment inflicts, victims of child maltreatment are more likely to require special education services, more likely to be involved in the juvenile and criminal justice systems, more likely to have long-term mental health needs, and have lower earning potential than their peers.<sup>3</sup> Financially, child maltreatment costs tribal communities and the United States \$210,012 per victim.<sup>4</sup> Child abuse prevention funding is essential, therefore, to the well-being of families and the social and economic development of tribal communities.

Therefore, tribes, like States, need adequate resources to effectively prevent and respond to family violence in their communities. However, unlike States, tribes do not have access to the key Department of Health and Human Services (DHHS) child protection programs, the Child Abuse Prevention and Treatment Act (CAPTA) Basic Funding Program and the Social Services Block Grant (Title XX). The programs authorized under ICPFVPA were created to fill this gap but, without appropriation, tribes are left without funding for child protection and child abuse prevention services.

#### OTHER PROGRAM RECOMMENDATIONS

*ICWA Funding Recommendation.*—Increase the ICWA On or Near Reservation Program appropriations by \$2.5 million and the Self-Governance and Consolidated Tribal Government ICWA On or Near Reservation appropriations by \$2.5 million, for a total increase of \$5 million to help tribes meet the needs of their communities. Appropriate an additional \$5 million for the authorized, but unfunded, Off-Reservation ICWA Program to ensure ICWA protects all children.

As the Attorney General's Advisory Committee on American Indian/Alaska Native Children Exposed to Violence recently stated "If AI/AN children today are to be provided with a reliable safety net, the letter and spirit of [the Indian Child Welfare Act] must be enforced."<sup>5</sup> ICWA provides protections to AI/AN families in State child welfare and judicial systems. It also recognizes the sovereign authority of tribal nations to provide child welfare services and adjudicate child welfare matters. To effectuate these provisions, ICWA authorized grant programs to fund child welfare services on or near reservations and for ICWA support in off-reservation, urban Indian programs.

ICWA funding is the foundation of most tribal child welfare programs. Compliance with the letter and spirit of ICWA necessitates adequate funding so that tribal child welfare programs can monitor State court proceedings and provide community-based, culturally appropriate services to children and families. At the time that ICWA was passed in 1978, Congress estimated that between \$26 million—\$62 million would be required to fully fund tribal child welfare programs on or near reservations (S. Rep. No. 95-597, p. 19 (1977)). Even after an important fiscal year 2015 increase, for which we thank Congress, current funding levels fall far short of this estimate—especially after adjusting for inflation. Funding must be increased by an additional \$5 million dollars, \$2.5 to the On-Reservation program and \$2.5 million for the Tribal Priority Allocation.

According to the 2010 Census, 67 percent of AI/AN people lived off-reservation. These children and families are best served when State child welfare systems are not only working with the child's tribe, but also with urban Indian child welfare programs. These programs provide assistance to States and the child's tribe, and provide culturally appropriate child welfare services. For this reason, ICWA authorizes child welfare funding for urban Indian programs. When funded (until 1996), off-reservation programs provided important services such as recruitment of Native foster care homes, child abuse prevention efforts, and culturally appropriate case management and wraparound services. When funding stopped, the majority of these programs disintegrated even as the population of AI/AN children off-reservation increased. This funding must be reinstated. We recommend a \$5 million appropriation for this program.

<sup>3</sup>Fang, X., Brown, D. S., Florence, C. S., & Mercy, J. A. (2012). The economic burden of child maltreatment in the United States and implications for prevention. *Child Abuse & Neglect*, 36, 156–65. doi: 10.1016/j.chiabu.2011.10.006.

<sup>4</sup>*Ibid.*

<sup>5</sup>U. S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention. (2014). *Attorney General's Advisory Committee on American Indian/Alaska Native Children Exposed to Violence: Ending violence so children can thrive* (p. 75). Retrieved from <http://www.justice.gov/sites/default/files/defendingchildhood/pages/attachments/2014/11/18/finalaianreport.pdf>.

*Welfare Assistance Recommendation.*—Increase current funding levels to \$80 million to provide a safety net for Native families and assist grandfamilies and other kinship caregivers in tribal communities.

The Welfare Assistance line item provides five important forms of funding to AI/AN families: (1) general assistance, (2) child assistance, (3) non-medical institution or custodial care of adults, (4) burial assistance, and (5) emergency assistance. These programs often provide the assistance necessary to help a family make ends meet, prevent neglect, and keep their children safely in the home. Currently the need far exceeds the funding provided by this program.

AI/AN adults on reservations—including parents and kinship caregivers—are unemployed at a rate more than two times the unemployment rate for the total population.<sup>6</sup> Thirty-four percent of AI/AN children live in households with incomes below the poverty line as compared to 20.7 percent of children nationwide.<sup>7</sup> AI/AN families live much closer to financial crisis than the average American family. AI/AN child welfare programs and social service agencies need to have the resources necessary to support families in times of crisis and uncertainty to promote stability and prevent abuse. In light of these identified needs and current underfunding, funds should be increased by \$5 million to provide tribal governments the resources they need to support families and children in crisis.

*Social Services Recommendation.*—Increase funding by \$6 million as recommended by the President's proposed Tiwahe Initiative for a total appropriation of \$47 million so that child social services programs and families in Indian Country can be strengthened.

The BIA Social Services Grant Program provides a wide array of family support services filling many funding gaps for tribal programs, and ensuring Federal staff and technical assistance for these programs. These funds are desperately needed. A recent assessment of BIA social services found that, in large part due to inadequate funding:

BIA and tribal social services staff prepare, authorize, and document various social services activities as part of their daily activities. Some tribes reported frequent vacancies and staff turnover in social services programs and mentioned a need for BIA to provide basic guidance and supporting materials to ensure continuity of services throughout tribal communities . . . Technical support is one area where roles and responsibilities remain unclear, as demonstrated by BIA's social services contracts with tribes. The contracts, or annual funding agreements, State that BIA will provide technical support with social services issues as needed. Contrary to these agreements, we uncovered reports of insufficient or nonexistent technical support. In some cases, tribes could wait up to three weeks before receiving a response, or they might receive no response at all.<sup>8</sup>

As this assessment describes, the program is drastically underfunded, and tribal programs, families, and children suffer as a result. In fiscal year 2015 this program saw a \$5 million increase. This is to be commended and the momentum must continue. Another \$6 million must be appropriated for this program, as suggested in the President's budget to support the Tiwahe (family) Initiative—children and families depend on it.

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#### PREPARED STATEMENT OF THE NATIONAL INSTITUTES FOR WATER RESOURCES

Chair Murkowski and Ranking Member Udall:

I am Sharon Megdal, Director of the University of Arizona Water Resources Research Center. Thank you for this opportunity to submit this testimony on behalf of the National Institutes for Water Resources (NIWR) in support of the Water Resources Research Act program, a program funded as part of the U.S. Geological Survey's budget. I specifically want to thank you for this subcommittee's strong continuing support for the Water Resources Research Act.

<sup>6</sup>Stegman, E. & Ebarb, A. (2010). Sequestering opportunity for American Indians/Alaska Natives. *Center for American Progress*. (Para. 1). Retrieved from <https://www.americanprogress.org/issues/poverty/news/2013/11/26/80056/sequestering-opportunity-for-american-indians-and-alaska-natives/>.

<sup>7</sup>U. S. Department of Health and Human Services, Health Resources and Services Administration, Maternal and Child Health Bureau. (2013). *Child health USA 2012* (p. 9). Rockville, MD: Author.

<sup>8</sup>Department of the Interior, Office of Inspector General. (2012). *Management of social services in BIA: Opportunity for action* (Report No. WR-EV-BIA-0001-2012). (pp. 5–6) Retrieved from <http://www.doi.gov/oig/reports/upload/WR-EV-BIA-0001-2012Public.pdf>.

The Water Resources Research Act, enacted in 1964, is designed to expand and provide more effective coordination of the Nation's water research. The Act establishes water resources research institutes (Institutes) at lead institutions in each State, as well as for Washington D.C., Guam, Puerto Rico, the Virgin Islands, the Federated States of Micronesia, the Commonwealth of the Northern Mariana Islands and American Samoa.

Congress created the Institutes to fulfill three main objectives:

- Develop, through research, new technology and more efficient methods for resolving local, State and national water resources challenges;
- Train water scientists and engineers through on-the-job participation in research; and
- Facilitate water research coordination and the application of research results through the dissemination of information and technology transfers.

Since 1964, the Water Resources Research Institutes have fulfilled these three objectives in partnership with the U.S. Geological Survey. The Institutes, managed by a director in each State, promote water-related research, education, and technology transfer at the national, State, and local level through grants and sponsored projects. The program is the only federally mandated research network that focuses on applied water resource research, education, training, and outreach.

The Water Resources Research Institutes program is a State-based network dedicated to solving problems of water quantity (supply) and quality in partnership with universities, local governments, the water industry, and the general public. Each State contributes a minimum of a 2:1 match, thus ensuring that local and regional priorities are addressed and the impact of Federal dollars is maximized. The Institutes are a direct, vital link between Federal water interests and needs and the expertise located within the States' research universities.

The Water Resources Research Institutes program also provides a mechanism for ensuring State, regional, and national coordination of water resources research, future water professionals' education, and dissemination and utilization of results and outcomes. In fact, the Institutes collaborated with 150 State agencies, 180 Federal agencies, and more than 165 local and municipal offices.

There are two grant components of the USGS Water Resources Research Institutes program. The first component is the base grant program, which is divided equally among the Institutes. Institutes use these funds to leverage research and/or student training through a statewide competitive grants process. NIWR requests the subcommittee provide continued funding for the base grant program, which supports research focused on water supply and quality, technology transfer, education, and outreach to the water-user community by the Institutes. The base program provides seed grants, which are used to develop future research proposals and secure additional external funds.

The second grant component is a national competitive grants program, supporting research on water resources problems that are regional or national in nature. In 2014 this program received 68 applications, which underwent rigorous peer review from a national panel. The national review panel selected a total of 4 grants. The agency awarded grants for research addressing water supply and quality issues facing our Nation to Purdue University, the University of Iowa, the University of Maryland, and the University of Nebraska.

The Institutes specialize in identifying problems within their States, developing solutions to those problems, and engaging with the public to implement those solutions. One of the program's greatest strengths is that the research funded by each Institute is tailored to that State's needs, based on priorities set through consultation with an advisory panel. While these projects usually focus on State needs, they also address water issues relevant to our Nation. The following are five examples of research conducted by Institutes across the country.

My Institute, the University of Arizona Water Resources Research Center (WRRC), is an Extension and research unit in the College of Agriculture and Life Sciences. Groundwater has been and continues to be a critical water resource for Arizona and the Nation. Over the years, Water Resources Research Act (WRRRA) funding has supported considerable work on groundwater quantity and quality. Projects have looked at specific contaminants to determine their potential distribution and impacts, to then develop innovative and affordable methods of remediation.

—A 2013 project continued development and testing of a novel approach that uses multiple models to quantify uncertainty in future hydrologic conditions, along with economic cost models to quantify the risk associated with water resource scarcity.

—A 2014–2015 project investigates groundwater governance practices in order to examine how they contribute to improved groundwater management. For this project, WRRRA funding, which was highly leveraged by considerable State fund-

ing, supported case study research by a graduate student, who also helped prepare the journal article, "Groundwater Governance in the United States: Common Priorities and Challenges".

—In addition, WRRRA funding is critical to the University of Arizona Water Resources Research Center's highly regarded information transfer activities, which focus on making water resources science and information accessible to stakeholders in Arizona, nationally, and beyond.

In 2015, the Alaska Water Center sponsored the first comprehensive effort to assess stream temperature regimes across Southeast Alaska. In a project funded through the University of Alaska—Fairbanks Water and Environmental Research Center, a team of researchers at the University of Alaska Southeast will install 50 monitoring sites to evaluate stream temperatures under varying land use, geologic, hydrologic and climatic conditions. As the reproductive success of Pacific salmon is highly sensitive to stream temperature in the spawning grounds, understanding the factors impacting Southeast Alaska stream temperatures will promote more effective fisheries planning and management in the future.

For decades, the New Mexico Water Resources Research Institute has played an instrumental role in helping to design water policy and manage resources in the State. Recently, the Institute began developing New Mexico's first comprehensive integrated statewide water assessment that will be used to address the State's water scarcity problems, help with the State's planning and management efforts, and inform the State's water policy decisions. The Institute will also soon be providing information supporting the development of groundwater flow and hydrochemical models that assist in water-resource planning along the New Mexico/Texas/Mexico border region.

The California Water Center is working with fruit and wine growers to help maximize crop yields with a minimum amount of irrigation. As this subcommittee knows, competition for water resources in California is increasing between urban and agricultural entities, necessitating the need for more accurate information on the water requirements of important crops. Knowledge of a crop's water footprint allows for informed irrigation management decisions. The research funded by WRRRA investigates the drought responses, water footprint, and wine quality through the imposition of water deficits to increase understanding of water use and fruit quality for specific cultivars, therefore allowing growers to apply a minimum amount of irrigation water to sustain profitable production levels.

Recently, the Tennessee Water Resources Research Center supported a project at the University of Tennessee aimed at developing planning tools to prioritize locations for stream restoration projects. The work will especially assist smaller municipalities to plan and implement stormwater controls and stream improvements. Stream restoration is a billion-dollar industry that results in healthier waterways within communities as evidenced by improved water quality and greater biodiversity.

For five decades the Institutes, in partnership with USGS, have provided significant research results and services to our Nation and proven successful at bringing new water professionals into the work force. The National Institutes for Water Resources recommends the subcommittee provide \$8,800,000 to the USGS for the Water Resources Research Institute program for fiscal year 2016. We respectfully submit that, even in times of fiscal challenges, investing in programs at USGS focused on data collection and the reliability and quality of water supplies is critically important to the health, safety, quality of life, and economic vitality of communities across the Nation.

Thank you, on behalf of all the Institute directors, for the opportunity to submit testimony and for the subcommittee's strong support of the Water Resources Research Institutes program.

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PREPARED STATEMENT OF THE NATIONAL ONSITE WASTEWATER RECYCLING  
ASSOCIATION

Chairman Murkowski, Ranking Member Udall, and members of the subcommittee, thank you for the opportunity to submit testimony regarding the proposed Environmental Protection Agency fiscal year 2016 budget. My name is Tom Fritts and I am the vice president of Residential Sewage Treatment Company of Grandview Missouri, near Kansas City. I am also the past president of the National Onsite Wastewater Recycling Association. The purpose of my testimony is to request increased funding for our industry from the Environmental Protection Agency, specifically from the Clean Water State Revolving Fund program and from the EPA Office of Wastewater.

I would first like to describe what the onsite industry is. It is the segment of the wastewater industry which provides sewage treatment when there is no conventional sewer available to do so. The most widely known onsite systems within our industry are septic tanks; however, it encompasses a wide range of technologies which are designed to serve individual homes, a cluster of homes, a subdivision or small community, as well as commercial and industrial complexes. While there are slight differences in definition, onsite systems are also called decentralized or distributed wastewater treatment systems.

Regardless of the type of system, they all share a common trait. They take advantage of the vast capacity of soil to remove or transform pollutants that are in the effluent as it percolates through the soil, thereby avoiding point discharges to surface waters and maintaining the quality and quantity of our groundwater.

By definition, onsite wastewater management systems are a "green technology" because treated effluent recharges local aquifers. A new innovation in decentralized wastewater management is the reuse or recycling of treated effluent. With appropriate safeguards, local regulations or bylaws may allow the treated water to be used for irrigation, toilet and urinal flushing or make-up water for commercial boilers. These applications reduce the demand for potable water and aid in the protection and preservation of the available water sources.

Ours is a growing and evolving industry supported by small businesses across the country. In fact, our organization estimates that the onsite wastewater industry employs as many as 150,000 people, virtually all of whom work for small businesses in the private sector. These include not only the companies which manufacture the components of the onsite system, but also the engineers who design the systems and the contractors who install, operate, and maintain them.

More than 65 years ago, my father-in-law who started the family business (which is now in the 3rd generation) would talk about installers who would dig septic tank excavations with a shovel. Most anyone with a strong back could be in the business. Today it takes someone with a strong mind, an entrepreneurial spirit and a knack for running a small business.

In my lifetime I have seen the humble back yard septic tank evolve into a range of sophisticated wastewater treatment solutions that lets families live wherever they want and lets businesses locate nearby to serve them, and even provides entire communities with options for treating wastewater so they don't have to automatically default to an expensive and disruptive sewer project. In fact, I have even begun to see utilities start to utilize decentralized treatment systems as distributed infrastructure within their utility service area.

Onsite and decentralized wastewater treatment systems are an effective solution to protecting water quality. They are a valuable component of watershed management plans and sustainable development programs. Onsite and decentralized wastewater treatment systems can benefit both urban and rural areas by providing affordable solutions and reducing risk to the environment in unusual situations and difficult locations. These systems can provide optimal water management to homes, businesses and industrial centers. Their recycling capability can support water resource management goals in many arid areas of the country.

Their use can support municipal wastewater treatment infrastructure by providing options for pretreatment and sewer mining, thus offering an alternative when centralized plants have reached or exceeded capacity. In addition, increasing numbers of utilities are viewing decentralized wastewater treatment as a critical component of their future growth strategies, because they add sustainability and resilience to their infrastructure while providing them with a modular, and cost-effective growth option that reduces their reliance on traditional centralized treatment facilities. As society demands more efficient use of financial resources and environmentally sustainable wastewater management, the use of managed decentralized wastewater treatment systems can be an effective solution which satisfies both imperatives.

For smaller communities, decentralized and onsite systems can usually be built and maintained for less money than a centralized sewage treatment facility. Virtually any treatment technology employed in a centralized sewage treatment plan can be found in onsite wastewater treatment systems. In fact, onsite systems can be designed to provide equal or better levels of treatment as compared to conventional sewage treatment plants.

There is one other very important benefit . . . they safely help replenish our dwindling underground aquifers through recharge of treated water onsite. While homeowners and many centralized sewage treatment systems draw their drinking water from underground aquifers, only onsite systems are designed to replenish aquifers. Most centralized sewage treatment systems discharge their treated water directly to rivers or streams where it ultimately ends up in an ocean. Using U.S.



Census numbers from 2010 it can be estimated that onsite wastewater systems discharge an average of 9.9 billion gallons of water per day back to the soil. That is more than 3.5 trillion gallons per year.

Nearly 85 million Americans—more than 25 percent of the country—are being served by the onsite industry and that number is growing. Because of this, technology has exploded. It sometimes reminds me of the computer industry of 30 years ago. There are many new decentralized technologies which have come online which treat wastewater in ways which are cheaper and more efficient and effective.

In fact, nearly two decades ago the Environmental Protection Agency endorsed onsite wastewater systems. Their 1997 Report to Congress on Use of Decentralized Wastewater Treatment Systems stated that this technology is a viable solution to treating and dispersing wastewater.

Sadly, despite EPA's recognition that onsite wastewater treatment systems are a permanent part of our Nation's wastewater infrastructure, EPA has largely ignored the myriad challenges faced by our industry. Among these challenges are homeowner education, technical support, lack of support for research, replacement of failing systems and professional education.

If I have convinced you that we are an important part of the solution to aquifer depletion, small business growth, infrastructure development and protection of public health and the environment, I'm sure you are curious to hear how much money we want . . . We don't want any. . . . At least we don't want any new money.

We have two requests. Currently more than 99.5 percent of the EPA Clean Water State Revolving Fund goes to municipal wastewater and stormwater projects. Less than ½ of 1 percent goes to onsite wastewater activities—in spite of the fact that more than 25 percent of the country is served by these systems. This pattern of funding has been consistent all the way back to the start of SRF funding in the early 1990s. We believe it is fundamentally unfair that for more than two decades, the 85 million taxpayers who use onsite systems have been subsidizing the government-owned treatment plants that serve the rest of the country. The challenges faced by our industry are no less important or urgent than those faced by municipal utilities.

The fact that they require a different set of solutions does not diminish the need to address them.

For fiscal year 2016 and beyond we request that at least 20 percent of EPA's annual contribution to the Clean Water State Revolving Fund be specifically designated to fund projects related to the construction, management or remediation of onsite and decentralized wastewater treatment systems and the 85 million taxpayers who use them. We further request that those funds be designated for disbursement and distribution by the authority in each State which has direct regulatory oversight and enforcement authority over residential onsite wastewater treatment plants.

Second, EPA has exactly one full-time employee (FTE) who focuses on Decentralized Wastewater. We would like to see at least 20 percent of the Office of Wastewater's funding be dedicated to increasing staffing and resources for the Office of Decentralized Wastewater. Among the specific requests:

- Place at least one FTE in each EPA regional office to specifically support State and regional initiatives involving decentralized wastewater treatment.
- Add at least one "circuit rider" with expertise in decentralized wastewater to each region to support decentralized wastewater project planning and implementation, regardless of the funding source (i.e. USDA, HUD, etc.).
- Designate a specialist in the EPA Clean Water State Revolving Fund Branch to assist State funding authorities in revising policies and project scoring systems to ensure fair inclusion of onsite/decentralized systems.
- Designate a second specialist in the EPA Clean Water State Revolving Fund Branch to proactively assist communities seeking funding for decentralized projects in navigating the often confusing maze of rules and regulations surrounding CWSRF and other sources of Federal funds.
- Significantly expand EPA's training of industry professionals through grants to entities which exclusively specialize in decentralized training.
- Provide increased direct financial support to the National Environmental Service Center and the Small Flows clearinghouse so that homeowners, business owners and industry professionals have an up-to-date source of information related to onsite and decentralized technology.
- Provide funding for EPA's Septic Smart program so that its materials can be more easily distributed to homeowners.
- Provide direct financial and staff support to State onsite wastewater regulators to facilitate increased training of industry regulators and mechanisms to support better enforcement of State onsite regulations.

—Expand research grants and onsite wastewater training centers and demonstration projects to help local decision-makers and design engineers better understand the benefits of onsite and decentralized wastewater treatment systems and technologies.

On behalf of the National Onsite Wastewater Recycling Association and the onsite industry we thank you for your time.

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PREPARED STATEMENT OF THE NATIONAL OPERA CENTER OF AMERICA (OPERA AMERICA)

Ms. Chairman and distinguished members of the subcommittee, OPERA America is grateful for the opportunity to submit testimony on behalf of OPERA America, its board of directors and its 2,000 organizational and individual members. We strongly urge the Subcommittee on Interior, Environment, and Related Agencies in the Committee on Appropriations to designate a total of \$155 million to the National Endowment for the Arts (NEA) for fiscal year 2016. This testimony and the funding examples described below are intended to highlight the importance of Federal investment in the arts, so critical to sustaining a vibrant cultural community throughout the country.

Opera is a continuously growing art form that can address the diverse needs and backgrounds of our communities. New opera companies are being established in communities that have never before had access to live performances. OPERA America's membership includes 132 professional company members representing 41 States. Sixty-six percent of these companies were established after 1970 and over 46 percent were established since 1980, indicating the growth of opera throughout America over the last 45 years.

In the 2013–2014 season, OPERA America members were involved with 37 world premieres. Since 1900, 950 new operatic works have been produced by professional opera companies in North America. Of that, 478 new operatic works have been produced since 2000. The growth in number and quality of American opera corresponds directly to the investment of the NEA's earlier investment in the New American Works program of the former Opera-Music Theater Program.

Beyond the opera house, opera companies are finding new and exciting ways to bring the essence of opera to other local theaters and community centers, frequently with new and innovative works that reflect the diverse cultures of the cities they serve. Strong partnerships with local schools extend the civic reach of opera companies as they introduce children to a multi-media art form and discover promising young talent.

*The NEA is a great investment in the economic growth of every community*

Despite diminished resources, including a budget that has decreased by over \$20 million since 2010, the NEA awarded more than 2,100 grants in 2014, totaling more than \$100 million in appropriated funds. These grants nurture the growth and artistic excellence of thousands of arts organizations and artists in every corner of the country. NEA grants also preserve and enhance our Nation's diverse cultural heritage. The modest public investment in the Nation's cultural life results in both new and classic works of art, reaching the residents of all 50 States and in every congressional district.

The return of the Federal Government's small investment in the arts is striking. In 2013, the American creative sector was measured by the Federal Bureau of Economic Analysis (BEA). The BEA and the NEA developed an "Arts and Cultural Production Satellite Account" which calculated the arts and culture sector's contributions to the gross domestic product (GDP) at 4.3 percent (or \$699 billion) of current-dollar GDP in 2012. Additionally, the nonprofit performing arts industry generates \$135.2 billion annually in economic activity, supports more than 4.13 million full-time equivalent jobs in the arts, and returns \$9.59 billion in Federal taxes.

On average each NEA grant leverages at least \$9 from other State, local, and private sources. Few other Federal investments realize such economic benefits, not to mention the intangible benefits that only the arts make possible. Even in the face of cutbacks in the recent years, the NEA continues to be a beacon for arts organizations across the country.

The return on investments is not only found in dollars. In 2012, 2.2 million people volunteered 210 million hours with arts and cultural organizations, totaling an estimated value of \$5.2 billion—a demonstration that citizens value the arts in their communities.

*NEA Grants at Work*

Past NEA funding has directly supported projects in which arts organizations, artists, schools and teachers collaborated to provide opportunities for adults and children to create, perform, and respond to artistic works. NEA funding has also made the art form more widely available in all States, including isolated rural areas and inner cities; indeed, NEA funded projects cross all racial, geographic, and socioeconomic lines.

The NEA awarded nearly 2,000 grants last year through its largest grant programs, to nonprofit arts organizations for projects that encourage artistic creativity and that bring the arts to millions of Americans. In a striking example of Federal/State partnership, 40 percent of NEA's program dollars are granted to State arts agencies, conditional on each State devoting its own appropriated funds. These grants, combined with State legislative appropriations and other dollars, are distributed widely to strengthen arts infrastructures and ensure broad access to arts.

The following are some examples of the impact of NEA funding on opera programs from the NEA's 2014 and 2015 Art Works Program:

## Santa Fe Opera

\$75,000

Santa Fe, New Mexico

To support the world premiere of *Cold Mountain* by composer Jennifer Higdon and librettist Gene Scheer. Initially inspired by Homer's *Ulysses*, Charles Frazier's novel, *Cold Mountain*, tells the story of a Confederate soldier who is wounded, deserts the army, and returns home to reunite with the woman he left behind when he enlisted to fight in the Civil War. Performances will be presented at the John Crosby Theatre.

## Opera Memphis

\$30,000

Memphis, Tennessee

To support "30 Days of Opera." Launched in 2012 as an outreach initiative with the goal of breaking down barriers that prevent new audiences from attending opera, the festival has successfully reached more than 50,000 people with more than 100 performances in at least 80 different locations. The project includes admission-free concerts, opera performances for schools, an original children's opera, pop-up or guerilla opera performances, and a family day at the opera.

## Lyric Opera of Kansas City

\$35,000

Kansas City, Missouri

To support the regional premiere of *Silent Night* by composer Kevin Puts and librettist Mark Campbell. Adapted from Christian Carion's screenplay for the film, *Joyeux Noel* (2005), the Pulitzer Prize-winning opera is based on a true story that occurred during one of the bloodiest wars in human history. On Christmas Eve, 1914, along the western front, peace broke out when the Scottish, French, and German troops engaged in combat near the French border, defied their superior officers, and agreed amongst themselves to a cease-fire in order to celebrate the holiday and bury their dead. Performances took place at the Kauffman Center for the Performing Arts in February and March.

## New Orleans Opera Association

\$12,000

New Orleans, Louisiana

To support Verdi's *Falstaff*. Outreach activities will include an artist roundtable, free "Nuts and Bolts" opera lectures prior to each performance, and multimedia study guides that will be distributed to public, private, and charter schools in the region. The production will make use of video projection technology for scenic design.

## Long Beach Opera

\$30,000

Long Beach, California

To support the U.S. premier of *Marilyn Forever* by composer Gavin Bryars and librettist Marilyn Bowering. Based on Bowering's book of poetry, *Anyone Can See That I Love You*, the work explores the life and myth of Marilyn Monroe. The opera will go beyond the American icon's persona to reveal a portrait of an intelligent

woman filled with conflicting emotions and ambitions. The semi-classical composition pairs orchestral music with a jazz trio.

Over 50 million people experienced opera on stage, via radio and TV, in cinemas, and at stadiums, parks and alternative venues through one of OPERA America's Professional Company Members in the 2012–2013 season. The collective expenses of member opera companies totaled over \$1 billion. Total government support, including city, county, State, and Federal, amounted to \$118 million, representing 10 percent of total operating income.

Despite overwhelming support by the American public for spending Federal tax dollars in support of the arts, the NEA has never recovered from a 40 percent budget cut in the mid-nineties and found its budget further decreased by \$22 million since 2010, leaving its programs seriously underfunded. We urge you to continue toward restoration and increase the NEA funding allocation to \$155 million for fiscal year 16.

On behalf of OPERA America, thank you for considering this request.

#### PREPARED STATEMENT OF THE NATIONAL PARKS CONSERVATION ASSOCIATION

Chairwoman Murkowski, Ranking Member Udall, and members of the subcommittee, thank you for the opportunity to submit testimony on behalf of National Parks Conservation Association (NPCA). Founded in 1919, NPCA is the leading national, independent voice for protecting and enhancing America's National Park System for present and future generations. On behalf of our one million members and supporters from every State in the union, I greatly appreciate the opportunity to provide our views regarding the National Park Service budget for the System's centennial year.

NPCA requests for fiscal year 2016 appropriated funding for the National Park Service of \$3,047,707,000, which is equal to the President's appropriated request, but rejecting his request to reduce National Heritage Area funding by \$9,737,000. This includes NPCA's priorities this year of meeting the President's request for:

- \$239 million in restored funding for park operations;
- \$113 million in restored funding for construction; and
- a \$40 million increase in appropriated funds for the Centennial Challenge.

This is a critical time for our National Park System and the National Park Service, which celebrate their 100th birthday next year. Our parks, though beloved by Americans from all walks of life and celebrated worldwide, are under significant financial strain. The centennial of this national treasure is a time to redouble our commitment to our national parks, local economies, and to the future generations for whom we hold them in trust.

We are hopeful that Congress will be able to address this year's budget and appropriations cycle through a more orderly and reasonable process than has too frequently been the case in recent years, yet are fearful that the Interior bill could once again face challenges. We acknowledge the tremendous challenge the subcommittee faces in setting thoughtful spending priorities for the varied Federal agencies and programs under its jurisdiction, and are grateful for your consistent support for national parks given the constraints you face. NPCA believes the allocation provided to the subcommittee in recent years has been insufficient and emblematic of the unfortunate squeeze that is being forced on domestic discretionary funding in general. NPCA will continue to be a leader in calling for that to change. We are grateful to the full committee for helping to ensure the subcommittee had the resources to cover programs like Payments In Lieu of Taxes (PILT) in fiscal year 2015, which was essential to the modest increase you were able to provide our parks. That said, we believe:

- the sequester must be repealed and, at a minimum, the original Budget Control Act (BCA) caps restored;
- the Wildfire Disaster Funding Act should be enacted; and
- the Interior subcommittee allocation is unlikely to ever be sufficient to meet the full needs of the Land and Water Conservation Fund (LWCF), the National Park System backlog, or the Payments In Lieu of Taxes (PILT) and Secure Rural Schools (SRS) programs, which should receive mandatory support outside of the Interior bill.

Although the subcommittee clearly is facing challenges, we believe our request is modest. To mark the 50th anniversary of the National Park System in 1966, President Eisenhower initiated "Mission 66," which invested over \$1 billion in national park enhancements and improvements to visitor facilities throughout the system—\$7.2 billion in today's dollars. By comparison, the Obama administration's proposed new 3-year investment for the centennial is worth  $\frac{1}{7}$  of that amount, and the \$433

million portion they request from this subcommittee for fiscal year 2016 is equivalent to 6 percent of what Mission 66 provided. Adjusted for inflation, the proposed \$239 million increase for park operations and \$113 million increase for construction essentially restores park budgets to fiscal year 2010 levels.

Visitation to our national parks can fluctuate, but rose 7 percent from 2013 to 2014, to 292 million people. Joshua Tree, Rocky Mountain, Grand Teton and Glacier National Parks saw record-breaking visitation in 2014. Visitation is expected to continue to grow with increased visibility of our parks for their Centennial, which has obvious implications for National Park Service funding needs.

For many years now, NPCA has shared with the subcommittee the impacts of compounded budget cuts on the National Park Service and the impacts of those cuts to visitors and communities surrounding national parks. We applaud efforts of the subcommittee in fiscal year 2015 in securing a \$39 million increase in park operations funding, as well as a \$10 million reinvestment in the Centennial Challenge, first proposed by the President George W. Bush administration, and now by President Obama, to leverage private donations with Federal dollars.

However, even with those modest increases, the budget to operate our national parks has been cut by nearly 7 percent in today's dollars compared to 5 years ago. The National Park Service has experienced operations shortfalls ranging from estimates of \$500 million to as much as \$800 million annually. The investment in operations in fiscal year 2015 provided some relief by addressing fixed cost increases such as cost-of-living adjustments for staff, rent, fuel, utility, and healthcare benefits. Park managers continue to do the best they can with reduced levels of funding to operate and maintain our national treasures and saving from employee attrition. However, park managers will share with you that operating a park with insufficient staff has started to compromise their ability to protect resources from damages and provide adequate visitor services. The result of chronic funding deficiencies, particularly due to the sequester but not limited to it, have been:

- fewer park rangers and other staff providing day-to-day maintenance of parks;
- parks and park facilities opening later and closing earlier or more frequently;
- visitor centers operating with fewer rangers or closing altogether due to lack of staff;
- compromised science and resource protection and decreased day-to-day maintenance;
- fewer backcountry patrols to ensure visitor safety and prevent poaching and looting; and
- other impacts that compromise resources and public enjoyment and safety.

Additionally, over the past decade, the National Park Service construction budget has been cut by over \$227 million, or 62 percent in today's dollars, contributing to the now \$11.5 billion deferred maintenance backlog. Deficiencies in operations and transportation funding have also contributed to the maintenance backlog, with the parks receiving about \$350 million less than necessary each year to keep the backlog from growing.

Polling we have shared with this subcommittee several times conducted by Hart Research Associates and North Star Opinion Research indicated that 9 out of 10 likely voters agree that funding for our national parks should be held stable or increased. A strong bipartisan majority of Americans (73 percent) believe it is important that the parks are fully restored and ready for the national park centennial in 2016. The broad support for our national parks is reflected in the membership of the National Park Second Century Action Coalition, which NPCA chairs and includes the active membership of a broad cross-section of the travel and outdoor industries, historic preservation and conservation interests, national park friends groups and other philanthropic organizations, park concessioners, and other national park supporters.

NPCA and the coalition advocated, and the Obama administration has proposed a multi-year centennial initiative that builds on the one proposed by the George W. Bush administration. The administration proposes to reinvest in national parks and to begin addressing the maintenance backlog both through discretionary and mandatory funding approaches. The fact that Presidents Bush and Obama both have supported strong centennial efforts provides further evidence of broad, nonpartisan support for the parks, which I know this subcommittee shares. The question now is: what will Congress do? We sincerely hope this subcommittee and your colleagues outside this subcommittee will seize this moment to produce a legacy that will be looked upon fondly both now and 50-to-100 years from now.

The proposed \$239 million increase for park operations focuses predominantly on enhancing cyclic maintenance funding, while also enhancing the visitor experience, better connecting young people with their natural and cultural heritage, improving the NPS focus on the important impacts of the civil rights movement, and helping

to ensure that park visitors can find a park ranger when they need one. The proposed increase of \$113 million for the construction account will help address the deferred maintenance backlog by supporting the replacement and repair of water systems essential to public health and the visiting experience, the repair of visitor facilities and trails, and the removal of some excess, dilapidated structures.

Under current allocations established by the BCA and sequester, it is difficult to see how this subcommittee will ever be able to address the \$11.5 billion backlog. So, the administration again proposes, and we support, enacting legislation to begin reducing the backlog through a mandatory account. An initiative that attacks the backlog would produce needed construction jobs while restoring America's treasures. A flaw in the administration's proposal, however, is that their budget completely ignores the transportation-related half of the backlog. Ironically, Mission 66 occurred in the context of investments in the Interstate Highway System. Yet, so far, neither the administration nor congressional proposals attempt to improve the current \$240 million allocation for national parks under the transportation bill and reduce the backlog.

On the other hand, the administration was correct to propose enacting and funding the Bush administration-proposed Centennial Challenge. As we seek to enact legislation to authorize this innovative program, we hope the subcommittee is in the position again this year to invest discretionary resources to get the Challenge off the ground. By building on last year's \$10 million investment with the additional \$40 million the administration proposes, the subcommittee can leverage scarce Federal dollars to produce even greater non-Federal investments for signature projects at parks throughout the country.

We also support the administration's request of \$178 million for the National Park Service's portion of the Land and Water Conservation Fund, a critical tool for protecting our national parks. Park Service LWCF funding has declined from \$126 million in fiscal year 2010 to less than \$100 million in fiscal year 2015, a decline of more than 20 percent. The administration proposes partially funding LWCF with mandatory funds in fiscal year 2016 and providing full funding with mandatory funding starting in fiscal year 2017. The acquisition of inholdings is directly related to better managing the places in which our Nation already has made a significant investment. LWCF boosts access and the recreation economy; reduces administrative and management costs; reduces the threat of fire and invasive species introduction; and has many other benefits.

We are grateful that this subcommittee has supported two extensions of the Federal Lands Recreation Enhancement Act (FLREA), which has currently been extended through the end of fiscal year 2016. If not reauthorized, public lands could lose over \$300 million annually to support maintenance, education, and other priority projects, with national parks making up about  $\frac{2}{3}$  of that amount. The administration proposes an extension to September 30, 2017 until a long term reauthorization can occur. As NPCA continue to advocate for a long-term reauthorization of FLREA with the respective authorizing committees, we hope the subcommittee will continue to support annual extensions, as necessary. Currently, without reauthorization by September 30, 2015, the agencies will lose their authority to issue the annual pass.

Finally, we reject the administration's request to cut the National Heritage Area funding by 50 percent, or \$9,737,000, as well as specifically realign \$650,000 of program budget from the Blackstone River Valley National Heritage Corridor to the general National Park Service operations account.

Overall, the budget for the National Park Service constitutes less than  $\frac{1}{15}$  of 1 percent of the Federal budget, and our research shows that the average American household pays roughly as much in income taxes for their national parks as it would cost to buy a cup of coffee. Now is the time to reinvest in our national parks and prepare them for another hundred years of service. Every member of this subcommittee understands the deep affection the American people feel for our national parks. With the Centennial upon us, it is time to make taking care of the national parks a priority. We thank this subcommittee for your leadership and are eager to work with you to build on the investments made last year, and ensure that our national parks are protected for generations to come.

Thank you again for the opportunity to submit written testimony. I am happy to respond to any questions you may have.

PREPARED STATEMENT OF THE NATIONAL PARKS SECOND CENTURY ACTION  
COALITION

Dear Chairwoman Murkowski and Ranking Member Udall:

Next year, Americans will celebrate the 100th anniversary of the creation of the modern National Park System. We, the members of the National Parks Second Century Action Coalition, write in support of increasing the Nation's commitment to our national parks for their centennial year in the Fiscal Year 2016 Interior, Environment, and Related Agencies Appropriations bill. Specifically, we support:

- A \$239 million increase in the operating budget for the National Park Service over fiscal year 2015 levels to restore funds lost over the last several years;
- A \$113 million increase in the construction budget for the National Park Service over fiscal year 2015 levels to help address the deferred maintenance backlog;
- A \$40 million increase for the Centennial Challenge program to continue to leverage Federal funding with private donations to help restore and modernize our parks;
- The temporary extension of the Federal Lands Recreation Enhancement Act until a longer term reauthorization can occur; and
- The continued support for legislation to address the financial impacts of wildfire suppression on the Department of the Interior budget.

The National Parks Second Century Action Coalition is made up of organizations supporting conservation, recreation, outdoor industry, travel and tourism and historic preservation that are dedicated to promoting the protection, restoration, and operation of the National Park System to benefit the health and well-being of current and future generations.

We are grateful for the real, though modest, reinvestment in park operations funding in fiscal year 2015 and we support an additional investment of \$239 million in fiscal year 2016 so parks can address fixed costs, ensure day-to-day maintenance, advance urban youth education initiatives, preserve the Civil Rights Movement, and restore lost park ranger positions that maintain, restore and interpret parks. In addition, an increased investment of \$113 million in the construction account will help address the \$11.5 billion deferred maintenance backlog. These requested amounts return the operations and construction budgets to fiscal year 2010 levels prior to the harmful sequester.

An increased investment of the Centennial Challenge program by \$40 million will encourage friends groups, foundations, businesses and other non-Federal institutions to help restore our parks. An initial Federal investment of \$40 million several years ago generated \$50 million in donations.

We ask for continued support to extend the Federal Lands Recreation Enhancement Act until a longer term reauthorization can occur. This will allow the National Park Service and other Federal land management agencies to retain and use nearly \$300 million in critically needed fee revenue annually.

Additionally, we urge your support for the reintroduced Wildfire Disaster Funding Act. Passage would provide some necessary funding relief to the National Park Service and other Interior agency budgets while relieving the Department of the Interior and the U.S. Forest Service of the many challenges and inefficiencies with "fire borrowing."

As a final note, we recognize that a more substantial investment is needed in our national parks as the System turns 100, and thus are urging Congress to support the President's request to provide mandatory funding to support the Centennial Challenge and address the deferred maintenance backlog.

We recognize and thank you for your ongoing efforts to balance limited resources in a difficult fiscal climate. With the National Park System Centennial approaching, we ask you to restore funding to our national parks to ensure enjoyment for future generations. Our cultural and natural heritage, recreational resources, American families who love to visit our national parks, and the economies of park-reliant communities will all benefit from your commitment to our national parks and their gateway communities.

Thank you for considering our views.

Sincerely,

|   |                                    |
|---|------------------------------------|
| Association for Partners for Public Lands | Coalition of National Park Service |
| American Forests                          | Retirees                           |
| American Hiking Society                   | Conservancy for Cuyahoga Valley    |
| American Recreation Coalition             | National Park                      |
| Appalachian Trail Conservancy             | The Corps Network                  |

|  |  |
|--|--|
| Destination Marketing Association International  | National Park Hospitality Association        |
| Friends of Acadia                                | National Trust for Historic Preservation     |
| Friends of Big Bend National Park                | National Tour Association                    |
| Friends of Dyke Marsh                            | NatureBridge                                 |
| Friends of the Oregon Caves and Chateau          | Nature Fund for National Parks               |
| Friends of Saguaro National Park                 | Outdoor Industry Association                 |
| Friends of Valle de Oro National Wildlife Refuge | Public Lands Service Coalition               |
| GirlTrek   | Receptive Services Association of America    |
| Golden Gate National Parks Conservancy           | The Shenandoah National Park Trust           |
| Grand Canyon Association                         | Student & Youth Travel Association           |
| Hispanic Access Fund                             | Travel Professionals of Color                |
| Mount Rushmore Society                           | U.S. Travel Association                      |
| National Council on Public History               | U.S. Tour Operators Association              |
| National Military Family Association             | Western National Parks Association           |
| National Parks Conservation Association          | Western States Tourism Policy Council        |
|  | Wolf Trap Foundation for the Performing Arts |

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#### PREPARED STATEMENT OF THE NATIONAL RECREATION AND PARK ASSOCIATION

Thank you Chairwoman Murkowski, Senator Udall, and other honorable members of the subcommittee for the opportunity to submit written testimony pertaining to funding for the Land and Water Conservation Fund's (LWCF) State Assistance Program and the Urban Parks and Recreation Recovery Program (UPARR) in the fiscal year 2016 Interior Appropriations bill.

##### *Overview of Funding Request*

As outlined below, we encourage you to renew the Federal investment in the LWCF. However, given that the purpose of the Act is to help preserve, develop, and assure access to outdoor recreation facilities to strengthen the health of U.S. citizens, we urge you to make a greater investment in States and local communities by:

- Allocating a minimum of 40 percent of fiscal year 2016 LWCF appropriations to the State Assistance Program;
- Continuing the innovative, “Outdoor Recreation Legacy Partnership” (ORLP) competitive grant program in the amount of \$5 million;
- Allocating up to \$25 million in funding for UPARR out of total fiscal year 2016 LWCF appropriations; and
- Ensuring that any amount allocated to either the ORLP or UPARR program is not done at the expense of the existing core formula grants distributed to the States for conservation and active recreation.

##### *About the National Recreation and Park Association*

The National Recreation and Park Association (NRPA), is a nonprofit organization working to advance parks, recreation and environmental conservation efforts nationwide. Our members touch the lives of every American in every community every day. Through our network of approximately 48,000 citizen and professional members we represent park and recreation departments in cities, counties, townships, special park districts, and regional park authorities, along with citizens concerned with ensuring close-to-home access to parks and recreation opportunities exist in their communities. Everything we support and do is focused through our three pillars: Conservation; Health & Wellness and Social Equity.

##### *40 Percent Allocation of Total LWCF Appropriations to the State Assistance Program*

There is a common misconception that LWCF is merely a Federal land acquisition program. Nothing could be further from the truth, as the LWCF State Assistance Program provides dollar-for-dollar matching grants to States and local communities for the construction of outdoor recreation projects. The land purchased with LWCF State Assistance funding remains the property of the State or local government, and the resources developed through the LWCF remain publicly accessible in perpetuity.

The LWCF provides numerous benefits to local communities across America, and it does so through a dedicated funding source—namely oil and gas leasing revenues from the Outer Continental Shelf (OCS). Over \$9 billion was provided through these leases in 2013, with a small fraction provided to the LWCF. Unfortunately an even



more miniscule amount is provided to the State Assistance Program. This is in large part due to the fact that current law mandates that a minimum of 40 percent of the total LWCF annual appropriations must be provided to the Federal land acquisition program without specifying an amount for the State Assistance Program.

As a result, States and local communities have historically received a very disproportionate share of the total LWCF appropriations, with little more than 12 percent of total LWCF funding going to the State Assistance Program since 1998. More recently, in fiscal year 2013, when final discretionary spending was subject to “sequestration,” you provided \$305 million overall to the LWCF and \$39.9 million to the State Assistance Program—also 13 percent. We appreciate that you’ve recently recognized the importance of the State Assistance Program and allocated a larger percentage of total LWCF appropriations to it in fiscal year 2014 and fiscal year 2015—pre-sequestration levels of \$45 million, which includes the innovative \$3 million “Outdoor Recreation Legacy Partnership” competitive grant program. However, even with these increases, State Assistance continues to receive less than 15 percent of overall LWCF appropriations.

What we find has gotten lost in the ongoing discussion over the reauthorization of the LWCF is, first and foremost, the issue of fairness in how LWCF dollars are being distributed. For nearly 50 years the bulk of the work to carry out the purpose of the Act has fallen on local communities to handle alone. While four-out-of-five Americans live in larger metropolitan areas, the LWCF is now only providing about 13 percent of overall funding to the very program—State Assistance—which impacts people where they live, and recreate, the most. Urban communities, in particular, suffer from the severe lack of resources currently provided through the State Assistance program.

The State Assistance Program is consistently listed as a key tenant of the overall LWCF program. We value preserving and providing access to our national treasures for all to enjoy, but we want to remind you that many treasured areas are NOT located on Federal property.

We’d like to specifically note that the administration’s fiscal year 2016 budget request includes a total of \$400 million in discretionary funding for the LWCF with the current \$50 million (12.5 percent) being allocated for the State Assistance Program continuing the pattern of falling well short of a fair and equitable percentage being made available for State and local outdoor recreation. We note that it would take \$160 million of overall LWCF appropriations to State Assistance to achieve the 40 percent threshold.

For the reasons outlined below, we are asking you to empower States and local communities to do more to preserve, develop, and assure access to outdoor recreation facilities to strengthen our Nation by allocating 40 percent of total LWCF appropriations to the State Assistance Program in fiscal year 2016.

#### *LWCF State Assistance’s Return on Investment and Return on Objective*

One of the key aspects of the LWCF State Assistance Program is the ability to create jobs. The outdoor recreation industry, as such is supported by LWCF State Assistance, is an economic powerhouse in the United States. According to the Outdoor Industry Association, the industry generates \$646 billion in consumer spending and supports over 6 million jobs annually.<sup>1</sup> Considering there are 7,800 State and over 100,000 locally managed parks throughout the country, it is obvious that outdoor recreation is most prevalent at the State and local level. In fact, the National Association of State Park Directors reports that America’s State park system contributes \$20 billion to local and State economies each year.<sup>2</sup> There is no doubt, that it is the LWCF State Assistance Program that provides the vast majority of places, spaces, and opportunities for outdoor recreation which stimulates the outdoor industry.

When viewed through the lens of the importance of the American outdoor recreation industry, the LWCF State Assistance Program has, for more than four decades, achieved a proven return on investment (ROI) demonstrated by the fact that nearly \$4 billion in Federal support has leveraged over \$4 billion additional dollars in matching funds. But the benefits of this program, don’t stop there, as the State Assistance Program has not only provided a ROI, but has also done a tremendous job of providing an outstanding return on objective for the American taxpayer by ensuring access for all.

It is well known that not everyone has the ability to visit one of our treasured national parks, and even those who do so are unable to on a regular basis as national parks are often vacation destinations or once-in-a-lifetime trips. To the aver-

<sup>1</sup> Outdoor Industry Association, “The Outdoor Recreation Economy Report 2012”.

<sup>2</sup> NASPD Annual Report, March 2013.

age American, however, the neighborhood park—down the street, open and accessible to the public, and without an admission fee—is the most important public space in their lives. The majority of our country’s public places, spaces, and opportunities for outdoor recreation are provided through the State Assistance program, with more than 42,000 grant projects covering nearly every county across America.

The LWCF State Assistance Program is the only Federal investment tool dedicated to ensuring that Americans have access to close-to-home public recreation opportunities. Because the program develops and provides local outdoor recreation, millions of Americans, of all ages and abilities have places where they can regularly connect with nature, be physically active and simply enjoy the outdoors. It is a means by which this committee can provide investment to critically important local park infrastructure, including: a new soccer field at Sisterhood Park in Anchorage, Alaska; enhancements at Bluewater Lake State Park near Perwitt, New Mexico; and an accessible playground at Fall Creek Falls State Park in Spencer, Tennessee. Each of the aforementioned communities benefited from State Assistance grant funding since 2013.

#### *LWCF State Assistance Provides Health and Environmental Benefits*

In addition to creating jobs and ensuring access for all, the LWCF State Assistance Program delivers tangible health benefits, contributing to the overall health and well-being of Americans. The National Park Service recognizes this through its Healthy Parks Healthy People U.S. initiative, which aims to increase public recognition of parks and public lands (including State, local, and regional park and trail systems) as places for the promotion of physical, mental, and social health. The CDC reports that childhood obesity has tripled in the last 30 years, less than 25 percent of adults engage in recommended levels of physical activity, and that obesity is a leading cause of chronic disease. As noted by the CDC, increased access to parks, green space, and recreation opportunities is essential to becoming a healthier Nation and reducing unsustainable healthcare costs.

The LWCF State Assistance Program also significantly contributes to protecting the environment and promoting environmental stewardship. LWCF State Assistance projects have a historical record of contributing to reduced and delayed storm water runoff volumes, enhanced groundwater recharge, storm water pollutant reductions, reduced sewer overflow events, increased carbon sequestration, urban heat island mitigation and reduced energy demands, resulting in improved air quality, increased wildlife habitat, and increased land values on the local level.

#### *Revitalizing Urban Parks and Recreation through Funding of UPARR*

While the LWCF has indeed benefited virtually every community in the country, many of our Nation’s cities and urbanized counties face distinct challenges that require additional resources. Recognizing this fact as well as the importance of public parks and recreation to larger urban renewal and community development efforts, Congress established the Urban Parks and Recreation Recovery Program (UPARR) to provide matching grants directly to localities in metropolitan areas. Over the course of more than two decades UPARR provided \$272 million for nearly 1,500 projects in 380 communities. This enabled neighborhoods across the country to restore both outdoor and indoor recreation facilities; support innovative recreational programming and enhance delivery of services and programs that provided constructive alternatives to at-risk youth.

Despite its successes, UPARR has not been funded since fiscal year 2002, yet many of the urban open space and recreation challenges still exist today. NRPA is very pleased to see UPARR in the President’s fiscal year 2016 budget and calls on Congress to update and fund this needed program to enable metropolitan areas to address quality of life, health and wellness, and conservation issues as they work to make their communities more attractive for families and businesses alike. Both LWCF State Assistance and UPARR are critical to providing Americans close to home recreation opportunities. The programs complement each other and NRPA implores Congress to fund UPARR from total LWCF appropriations but not at the expense of the already underfunded State Assistance Program.

#### *Maintaining The Outdoor Recreation Legacy Partnership Competitive Grant Program*

The fiscal year 2014 Interior Appropriations package included an “additional” \$3 million of funding for a pilot “Competitive Grant Program” managed under the State Assistance Program. NRPA is pleased to have worked with NPS to help craft this pilot initiative and believes the first set of grantees will prove successful in highlighting the innovative projects and partnerships the State Assistance Program provides across America. We support the continuation of what is now called, the “Outdoor Recreation Legacy Partnership” (ORLP) program, provided the funds allocated

are not done at the expense of the existing core formula grants distributed to the States for public recreation.

Madam Chairman and members of the subcommittee, few programs can address so many national priorities as effectively as the LWCF State Assistance Program and UPARR, with so few dollars and without negatively impacting the Federal budget. This subcommittee and Congress have the rare opportunity to achieve national goals without increasing spending or adding to the deficit, and can do so by adopting three simple recommendations: Allocate a minimum of 40 percent of LWCF funding to the State Assistance Program; continue the innovative ORLP grant program, and address the need for improved infrastructure in urban areas by allocating a portion of the total LWCF funding to UPARR.

Thank you again for the opportunity to share NRPA's recommendations and your consideration of our request.

[This statement was submitted by Kevin O'Hara, *Vice President for Urban and Government Affairs.*]

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#### PREPARED STATEMENT OF THE NATIONAL TIGERS FOR TIGERS COALITION

Madam Chair and members of the subcommittee:

On behalf of the National Tigers for Tigers Coalition (T4T), I am submitting testimony on behalf of critically important conservation programs of the U.S. Fish and Wildlife Service (FWS). Thank you for your continued support for USFWS-International Affairs Office and its role in protecting international wildlife. We sincerely appreciate the opportunity to respectfully request the following appropriations for fiscal year 2016:

- \$14.7 million to the FWS International Affairs Office (IA);
- \$11.1 million for the Multinational Species Conservation Funds (MSCFs);
- \$75.4 million to support the FWS Office of Law Enforcement (OLE).

Tigers for Tigers is a student-led national organization dedicated to engaging students and fans of universities with tiger mascots in the protection of our majestic and endangered team emblem. Currently active in 12 universities across the Nation, T4T is quickly expanding. Our goal is to eventually engage all 56 tiger mascot universities nationwide—reaching more than 450,000 enrolled college students who self identify with their tiger mascot. T4T amplifies this amazing school spirit and empowers students and fans to save tigers from the loss and fragmentation of habitat and from increasing levels of illegal poaching and trafficking.

Compared to a century ago, tiger habitat has declined by 93 percent and tiger populations have plummeted by 97 percent. As a result of such crippling losses, it is estimated that only 3,200 tigers remain in the wild—mainly in India, Russia and Sumatra. Prized for their beauty and admired for their strength, tigers are poached for a variety of purposes, including, but not limited to: traditional medicine, clothing, food, wine and decoration. Protecting tigers from poachers and reducing the demand for tiger parts is critical for their survival.

The wildlife trafficking and trade crisis is an immediate threat to global biodiversity and is an issue of U.S. national security that must be addressed without delay. Highly organized and sophisticated crime networks around the world are starting to take advantage of this lucrative business, which generates an estimated \$10 billion annually. The resulting revenue is used to support the illegal trafficking of both humans and drugs and to fund terrorist activities. Reducing the demand for wildlife parts would not only benefit conservation efforts, but would also decrease the funds available to crime networks to support trafficking and terrorist activities.

In July 2013, President Obama announced the National Strategy for Combating Wildlife Trafficking as part of Executive Order 13684. In February 2015, the Presidential Task Force announced the Implementation Plan for the National Strategy to focus on strengthening law enforcement, reducing demand for illegal wildlife products, and increasing cooperation through public and private partnerships. The Implementation Plan contains forward-thinking solutions to halt the loss of tiger habitat and populations, and we request robust funding to support the Executive Order.

*FWS—Office of International Affairs (IA)—\$14.7 million requested*

The FWS International Affairs Office is responsible for protecting and supporting our world's rich biodiversity, flora and fauna through landscape conservation programs and the implementation of roughly 40 international treaties and conventions. The IA office administers an extensive grant program and works to conserve species at risk through regulation of international wildlife trade.

Two programs administered under the IA, Wildlife Without Borders (WWB) Global and Wildlife Without Borders Regional Programs, support groundbreaking conservation programs and foster partnerships with governments, agencies, local organizations, and community stakeholders. The WWB Global Programs focus on international treaties, partnership and grant programs like the Critically Endangered Animals Conservation Fund and the Amphibians in Decline Fund. WWB Regional Programs foster collaborative efforts with multiple stakeholders to conduct shared conservation initiatives abroad in Africa, East Asia, Latin America, Russia and Mexico. T4T has been working directly with WWB Global Programs Office to promote the Save Vanishing Species postage stamp on our tiger mascot campuses. With support from the Global office and Clemson University, T4T produced a 25-second public service announcement video that was displayed on the jumbo-tron at all home football games in 2013 within a stadium of 80,000 cheering tiger fans.

The U.S. is the second largest consumer of illegal wildlife products in the world behind China. In November 2013, FWS hosted an Ivory Crush and destroyed 6 tons of confiscated elephant ivory to show the international community that the U.S. does not support or condone illegal wildlife trade. Immediately after the event, other countries, including China, followed the U.S.'s lead and destroyed their stockpiles of elephant ivory. To continue taking a leading role on the international stage, the U.S. must continue improving our local enforcement policies and supporting international conservation programs.

We respectfully request the subcommittee to support the President's request of \$14.7 million for fiscal year 2016 for the FWS's Office of International Affairs.

*Multinational Species Conservation Funds—\$11.1 million request*

The Multinational Species Conservation Funds (MSCFs) of the FWS provide crucial funding to support conservation projects for tigers, elephants, rhinos, great apes, and marine turtles. These funds finance anti-poaching efforts to combat illegal wildlife trafficking, educate and incentivize local communities, and finance projects to protect critical habitat.

In fiscal year 2015 Congress allocated \$9.1 million to support MSCFs. This year, we respectfully ask the subcommittee to support an \$11.1 million budget, an increase in \$2 million allocated at the President's request to support the African Elephant Conservation Fund and the Rhino and Tiger Conservation Fund.

- The African Elephant Conservation Fund promotes conservation, research, and habitat management for African elephants. At the current rate of 35,000 elephants poached annually for their ivory, the population of 470,000 to 690,000 will face imminent extinction within the next decade.
- The Rhinoceros and Tiger Conservation Fund, established in 1994, provides funding for education, research and management of species with the objective of conserving rhinos and tigers and decreasing demand for illegal trade of animal parts. In 2014, the FWS funded over 40 projects for \$3.2 million, which was leveraged by \$5.5 million in additional funds.
- In Asia, rhino populations are dwindling with fewer than 50 Javan rhinos and 400 Sumatran rhinos remaining in the wild. Every poached one-horned rhino has a significant impact on the remaining populations.
- The Conservation Fund has improved recovery programs for the 3,200 remaining tigers in the wild by helping implement consumer demand reduction strategies and expand wildlife enforcement networks. T4T has worked directly on reducing human-tiger conflicts by funding groups that train female forest guards in Central India to educate their communities about wildlife laws and how to mitigate human-wildlife conflicts.

In addition to funding landscape conservation projects, Multinational Species Conservation Funds also stimulate local economies, build long-lasting partnerships between stakeholders and provide a growing constituency for international wildlife. Between 2007 and 2013, \$77 million has been appropriated to support MSCFs and establish partnerships in more than 54 countries. The more than 2,000 grants awarded have leveraged \$115 million in private and in-kind donations.

MSCFs have consistently received bi-partisan support in Congress and the administrations since the program began in the 1990s and we request allocation of the President's request of \$11.1 million.

*Office of Law Enforcement—\$75.4 million request*

The FWS Office of Law Enforcement (OLE) is involved in all aspects of the agency's efforts to manage eco-systems and promote international conservation efforts. The 261 special agents and 140 wildlife inspectors are highly involved in combating illegal wildlife trafficking, training foreign law enforcement officers, and solving wildlife crimes through their forensic labs. Yet despite its proven track record of ad-

addressing international wildlife crimes, the OLE is extremely under-funded and under-staffed and lacks the capacity to stem the tide of illegal wildlife products imported into the U.S. through shipping ports such as Miami, Los Angeles, or New York.

We commend the international efforts and global operation of Operation Cobra 2 in late 2013 that resulted in over 400 arrests and 350 wildlife seizures in Africa and Asia. We have seen similar success in the domestic operation—Operation Crash—conducted in conjunction with the Department of Justice. Last year, the FWS in coordination with the State Department placed FWS experts in U.S. embassies in Bangkok and Dar es Salaam to support wildlife enforcement capacity and to coordinate wildlife trafficking investigations with local authorities. The fiscal year 2016 Presidential budget proposes to add four more law enforcement experts in additional countries, including China.

It is critical that we continue to fund and support the OLE's efforts to catch and disrupt the import, distribution and export of illegal wildlife products. The National Strategy to Combat Wildlife Trafficking seeks to strengthen legal authorities and enforcement capacity, strengthen investigative efforts abroad, increase collaboration across agencies, and reduce demand for illegal wildlife products. Therefore we respectfully request \$75.4 million to support the OLE in fiscal year 2016.

The President has also requested an additional \$8 million within his fiscal year 2016 budget to be allocated to the FWS to address the wildlife trafficking crisis. Most of this funding would be part of the \$75.4 million for the OLE to fund the expansion of the Fish & Wildlife Service's ability to process incoming forensic evidence and prosecute the criminal violations of wildlife protection laws.

Members of the subcommittee, we sincerely appreciate the opportunity to provide our written testimony to advocate for the successful programs of FWS and our Nation's commitment to international conservation efforts. Only by investing now in international conservation efforts to establish a healthy wild tiger population can we ensure that future generations will be able to fully appreciate the magnificent power of wild tigers—whatever the mascot of their favorite team.

And as a recent Clemson University Alumnus, I'd like to add—Go Tigers!

#### PREPARED STATEMENT OF THE NATIONAL TRIBAL CONTRACT SUPPORT COST COALITION

My name is Lloyd Miller and I am a partner in the law firm of Sonosky, Chambers, Sachse, Miller and Munson, LLP. I appear here today as counsel to the National Tribal Contract Support Cost Coalition. The Coalition is comprised of 21 tribes and tribal organizations situated in 11 States. Collectively, they operate contracts to administer almost \$500 million in IHS and BIA programs and services on behalf of over 250 Native American tribes.<sup>1</sup> The NTCSC Coalition was created to assure that the Federal Government honors the United States' contractual obligation to add full contract support cost funding to every contract and compact awarded under the Indian Self-Determination Act. I also litigated the Supreme Court *Cherokee* and *Arctic Slope* cases, and co-litigated the *Ramah* case, all of which held that IHS and BIA contracts with Indian tribes are true, binding contracts which must be paid in full no less than any other government contract.

Every year I recall for this subcommittee that no single enactment has had a more profound impact on tribal communities than has the Indian Self-Determination Act. In just three decades tribes and inter-tribal organizations have taken control of vast portions of the Bureau of Indian Affairs and the Indian Health Service, including services previously provided by the Federal Government in the areas of healthcare, education, law enforcement and land and natural resource protection. Today, not a *single* tribe in the United States is without at least one self-determination contract with the IHS or the BIA, and collectively the tribes administer nearly \$3 billion in essential Federal Government functions employing an estimated 35,000

<sup>1</sup> The NTCSCC is comprised of the: Alaska Native Tribal Health Consortium (Alaska), Arctic Slope Native Association (Alaska), Central Council of Tlingit & Haida Indian Tribes (Alaska), Cherokee Nation (Oklahoma), Chickasaw Nation, Chippewa Cree Tribe of the Rocky Boy's Reservation (Montana), Choctaw Nation (Oklahoma), Confederated Salish and Kootenai Tribes (Montana), Copper River Native Association (Alaska), Forest County Potawatomi Community (Wisconsin), Kodiak Area Native Association (Alaska), Little River Band of Ottawa Indians (Michigan), Pueblo of Zuni (New Mexico), Riverside-San Bernardino County Indian Health (California), Shoshone-Bannock Tribes (Idaho), Shoshone-Paiute Tribes (Idaho, Nevada), Southeast Alaska Regional Health Consortium (Alaska), Spirit Lake Tribe (North Dakota), Tanana Chiefs Conference (Alaska), Yukon-Kuskokwim Health Corporation (Alaska), and Northwest Portland Area Indian Health Board (43 Tribes in Idaho, Washington, Oregon).

people. Under all of these contracts, the tribes must cover contract support costs—essentially overhead—to responsibly manage their programs. They have to make payroll. They have to manage their finances and their information technology systems. They have to buy insurance. They have to procure goods and services. All of the same things the government has to do, the tribes have to do—and even more: the tribes must complete costly annual audits, negotiate indirect cost rates, and comply with a raft of Federal mandates.

These costs are fixed, and they must be paid. Otherwise, they are paid out of program funds or paid out of tribal trust funds. Thus, full payment of contract support costs is essential to keeping faith with the Government's contractual commitments, honoring the Government's trust responsibility, and permitting the tribes to prudently carry out the contracted programs, from law enforcement to range management to full-on hospital operations.

Four years ago this committee explained its views on contract support costs:

The Committee believes that both the Bureau [of Indian Affairs] and the Indian Health Service should pay all contract support costs for which it has contractually agreed and directs the Service to include the full cost of the contract support obligations in its fiscal year 2013 budget submission.

H.R. Rep. No. 112–151, at 98 (2011). See also *id.* at 42 (addressing the BIA). The Committee was remarkably prescient in its assessment of the government's liability: the very next year the Supreme Court ruled that “[c]onsistent with longstanding principles of Government contracting law, we hold that the Government must pay each tribe's contract support costs in full.” *Salazar v. Ramah Navajo Chapter*, 132 S. Ct. 2181, 2186 (2012). The Supreme Court emphasized that “the Government's obligation to pay contract support costs should be treated as an ordinary contract promise.” *Id.* at 2188. Two months later the U.S. Court of Appeals for the Federal Circuit applied the *Ramah* ruling to the Indian Health Service, concluding that “[t]he Secretary [was] obligated to pay all of ASNA's contract support costs for fiscal years 1999 and 2000.” *Arctic Slope Native Ass'n, Ltd. v. Sebelius*, No. 2010–1013, Order at 6, 2012 WL 3599217 (Fed. Cir. Aug. 22, 2012), *on remand from* 133 S. Ct. 22 (2012).

Today it is beyond any debate that the payment of contract support costs is a binding contractual obligation owed to all tribes that operate BIA and IHS contracts. The only issue remaining has been how to meet that obligation.

Thanks to this subcommittee's vision and decisive action, fiscal year 2014 was the first year in which contract support costs were paid in full through the ordinary appropriations process. For the agencies, particularly IHS, it was a rocky start, as early mistaken estimates gave way to the reality that the agency has missed the mark by millions of dollars. A major reprogramming action was necessary to make tribes whole, but the agency weathered the storm with a minimum of disruption to direct service operations, and all contracts were paid in full.

Last year's appropriation followed a crooked path to final enactment. But an unintended benefit of the delayed fiscal year 2015 appropriations cycle was that this subcommittee, the agencies and tribal advocates (including this Coalition) were able to compare notes last December and this subcommittee was able to adjust the fiscal year 2015 final appropriation levels to assure that all tribes will be paid in full for carrying out their government contracts—and this time, without any disruption to ongoing program or agency operations. We are truly in a new era.

#### *Fiscal Year 2016*

For fiscal year 2016 the administration has proposed contract support costs payment levels of \$718 million for IHS and \$272 million for the BIA. Based upon actual experiences in fiscal year 2014, there is every reason to believe these amounts will be sufficient to cover all contract requirements next year. The National Tribal Contract Support Cost Coalition fully supports the President's proposed fiscal year 2016 funding levels, reflecting a full administration commitment to tribal self-determination and self-governance.

#### *Fiscal Year 2017 and Beyond*

Going forward, the administration has proposed a 3-year mandatory appropriation at stated dollar amounts for each agency, with up to 2 percent of the sums so designated to be available for agency administration. The National Tribal Contract Support Cost Coalition deeply appreciates the President's effort to find a solution to the multi-decade underfunding of contract support costs, and agrees that the long-term solution lies in a mandatory appropriation. A mandatory appropriation is an effective answer to the dilemma posed by locating a legally binding obligation within an appropriation structured to address discretionary requirements. It pro-

fects the discretionary side of the ledger while assuring that tribal contractors and compactors will be paid in full for services duly rendered to the United States.

But care in this area must be taken, and a half measure could be more disruptive than no measure at all. A time-limited mandatory appropriation is ill-suited to paying a permanent obligation, because each renewal is subject to the vagaries of the political process. The best example of those vagaries is reflected in the history of the time-limited mandatory appropriation enacted for the Special Diabetes Program for Indians (SDPI).<sup>2</sup> This instability is orders of magnitude more destabilizing when it comes to the payment of contract support costs for the delivery of core governmental functions, including the annual operation of police departments, schools and entire hospitals and clinics serving many of the Nation's most vulnerable populations. It is one thing for a discrete program to end; it is quite another thing for an entire hospital or police department to close or be cut back by a third because contract support cost payments suddenly cease. One can imagine the grave instability that would ensue if by March 2019, Congress had not yet renewed the measure and yet the Budget Committee was developing its discretionary caps for the coming year and this subcommittee was holding these hearings.

Given these practical considerations, the Coalition respectfully urges all members of this subcommittee to build upon the President's proposal by supporting a permanent mandatory appropriation.

The Coalition also respectfully urges this subcommittee's members to support a mandatory appropriation which only appropriates what is needed, and not a penny more.<sup>3</sup> In recent listening sessions the agencies have explained that the specific sums requested are somewhat higher than the sums each agency projects it will actually need. This makes no sense to us, and will only drive up the cost of any measure.

To the extent the higher amounts are designed to make available up to 2 percent of the designated sums for agency overhead, the Coalition strongly opposes those amounts. A flat 2 percent would authorize IHS to spend over \$20 million on overhead costs to pay tribal contractors, 10 to 20 times what the agency currently spends on this activity out of its discretionary appropriation. No explanation has been offered for such excessive sums, and IHS has readily acknowledged that far lesser sums would be sufficient.

The Coalition appreciates that the agencies would each benefit from additional resources to administer their obligations under the law to pay full contract support costs. But before increasing existing sums, the subcommittee should direct the BIA and IHS to perform an assessment to determine their exact staffing needs and associated funding requirements. Whatever sum is necessary for agency overhead, those costs should be left within each agency's discretionary appropriation, where the appropriations committees can continue to monitor and respond on an annual basis to agency and tribal concerns. No reason has been offered by anyone for transferring such sums to a mandatory appropriation.

On an issue closely related to agency overhead, the Coalition respectfully requests that the subcommittee caution the agencies against developing any new initiatives that would leave contract support cost accounts open for 5 years. IHS is already moving in this direction, which would be both unprecedented and directly at odds with standard grant practices, including IHS's own grant programs. Contracts should be closed out within 60 days of the close of the fiscal year, and both agencies should be directed to develop initiatives which make contract implementation and close-out more efficient and speedier, not more complex. Multi-year arrangements for fixed rates, or fixed lump-sum amounts subject to inflationary adjustments, should be strongly encouraged as an efficient alternative to lengthy annual recalculations and reconciliations.

Finally, the Coalition respectfully urges the subcommittee to amend the Appropriations Act's language to require that contract support costs be added to program funds covering the domestic violence prevention initiative (DVPI) and methamphetamine and suicide prevention initiative (MSPI). A recent Federal court confirmed that such funds are subject to the Indian Self-Determination Act, consistent with IHS's position since 2010. But this past year, just when full CSC funding finally be-

<sup>2</sup>Public Law No. 105-33, § 4922, 111 Stat. 251 (1997) (5 years); Public Law No. 107-360, § 1(b), 116 Stat. 3019 (2002) (6 years); Public Law No. 110-173, § 302(b), 121 Stat. 2492, 2515 (2007) (one year); Public Law No. 110-275, § 303(b), 122 Stat. 2494, 2594 (2008) (2 years); Public Law No. 111-309, § 112(2), 124 Stat. 3285, 3289 (2010) (2 years); Public Law No. 112-240, § 625(b), 126 Stat. 2313, 2352-53(2014) (1 year); Public Law No. 113-93, § 204(b), 128 Stat. 1040, 1046 (2014) (1 year).

<sup>3</sup>See 31 U.S.C. § 1305 (appropriating "such amounts as may be necessary" for specified purposes).

came a reality, IHS unilaterally—and without any consultation whatsoever—changed position, announcing that hereinafter tribes must divert their domestic violence and methamphetamine and suicide prevention program dollars to cover all overhead costs. On average, this will reduce the program funding amounts nationwide by 25 percent. Congress should not tolerate this irrational change to these programs.

It is a privilege to appear before this subcommittee once again. On behalf of the over 250 federally recognized tribes represented by the National Tribal Contract Support Cost Coalition, I thank the subcommittee for this opportunity to testify on the fiscal year 2016 budget.

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PREPARED STATEMENT OF THE NATIONAL TRUST FOR HISTORIC PRESERVATION

Madame Chairman, Senator Udall, and members of the subcommittee, I appreciate this opportunity to present the National Trust for Historic Preservation's recommendations for fiscal year 2016 appropriations. My name is Thomas J. Cassidy, Jr. and I am the Vice President for Government Relations and Policy. The National Trust is a privately-funded nonprofit organization chartered by Congress in 1949. We work to save America's historic places to enrich our future.

The Nation faces a challenging fiscal environment. The National Trust recognizes there is a need for fiscal restraint and cost-effective Federal investments. However, we do not believe that preservation, conservation and recreation programs should suffer from disproportionate funding reductions. We look forward to working with you, Madame Chairman, as you address the ongoing needs for investments to sustain our Nation's rich heritage of cultural and historic resources.

*Historic Preservation Fund.*—The Historic Preservation Fund (HPF) is the principal source of funding to implement the Nation's historic preservation programs. Like the Land and Water Conservation Fund, its dedicated revenues are generated from oil and gas development on the Outer Continental Shelf.

The National Park Service distributes HPF grants that are matched by State Historic Preservation Offices (SHPOs) and Tribal Historic Preservation Offices (THPOs). Inadequate HPF funding limits support for preservation activities such as survey, nomination of properties to the National Register of Historic Places, public education, project review required by the National Historic Preservation Act and for the Federal Historic Rehabilitation Tax Credit (HTC). The HTC is the largest Federal investment in historic preservation. It has leveraged nearly \$117.6 billion in private investment, created 2.4 million jobs and adapted more than 40,300 buildings for new and productive uses.

The National Trust applauds the administration's request of \$89.9 million for the HPF. Most of the \$33.5 million increase is associated with the Civil Rights Initiative, including a new \$30 million competitive grants program to document, interpret, and preserve the stories and sites associated with the Civil Rights Movement and the African-American experience, and \$2.5 million in grants for Historically Black Colleges and Universities. The request would continue for a third year the \$500,000 competitive grants program for the survey and nomination of properties associated with communities currently underrepresented in the National Register of Historic Places and National Historic Landmarks. Recent studies have documented that less than 8 percent of such listings identify culturally diverse properties.

The request also includes a much needed increase of \$1 million over fiscal year 2015 enacted for THPOs. This modest increase in funding would address an increase in participation among THPOs from 154 tribes in fiscal year 2015 to potentially 160 tribes in fiscal year 2016. We were disappointed that the administration did not request any funding increase to the SHPOs. We urge the subcommittee to provide the much needed increases for SHPOs and THPOs to provide their essential preservation services.

*National Park Service: Civil Rights Initiative.*—The National Trust strongly supports President Obama's \$50 million Civil Rights Initiative in this 50th anniversary year of the Voting Rights Act. In addition to the new competitive grant programs funded through the HPF, the request includes \$17.5 million in funding for sites within the National Park System, including the Selma to Montgomery National Historic Trail, the Little Rock Central High School National Historic Site and the Martin Luther King Jr. National Historic Site.

*National Park Service: Operation of the National Park System and Cultural Resources Stewardship.*—The National Park Service (NPS) is responsible for 407 units of the National Park System ranging from the battlefields where our ancestors fought and died to places that stir the soul like the Statue of Liberty and Ellis Island, the gateway for millions of new Americans. Three-quarters of our parks were



created to protect our most important historic and cultural resources. Over the past 20 years, more than 40 new parks have been added to the park system, many of which preserve historic places and themes that have been underrepresented within the system.

We support the President's budget proposal of \$239 million above the fiscal year 2015 enacted level for National Park Service Operations. The increase includes several Centennial Initiative requests of great importance to the preservation community, including increases of \$66.7 million for repair and rehabilitation projects, \$64 million for cyclic maintenance, \$13.5 million for new responsibilities and critical needs, \$5.5 million for the documentation and preservation of Civil Rights history in the National Park System and \$3 million for the Cultural Resource Challenge.

*Repair and Rehabilitation.*—The Repair and Rehabilitation Program is a part of the overall service wide deferred maintenance strategy that directs funds to high priority mission critical and mission dependent assets with deferred maintenance projects less than \$1 million. Approximately \$4.5 billion of the overall deferred maintenance backlog is for the 27,000 properties listed on the National Register of Historic Places within National Park units.

*Cyclic Maintenance.*—Investing in cyclic maintenance required to maintain historic structures is essential to abate the continued growth of the deferred maintenance backlog. The kind of projects addressed by cyclic maintenance funding includes roofing of buildings, re-pointing masonry walls, painting, sealing and stabilizing archaeological sites.

*Leasing Historic Structures in National Parks.*—In recent years, the subcommittee has repeatedly included report language encouraging the NPS to utilize leases as a means to mitigate the maintenance backlog of historic structures. The Service is slow to implement the policy changes necessary to facilitate more leasing and catalyze even broader use of this important authority. We recommend that the subcommittee request the NPS to create a pilot project to catalyze such leases and report on any statutory or regulatory barriers that inhibit the expansion of this public-private approach to bring private investment into the parks.

*Visitor Services: New Responsibilities and Critical Needs.*—We support the requested \$13.5 million increase to support the operations of newly established units of the National Park System including the recently established Pullman National Monument in Illinois and Honouliuli National Monument in Hawaii. The requested increase would also support the critical operating needs of parks with Civil Rights stories, including the Selma to Montgomery National Historic Trail and the Carter G. Woodson Home National Historic Site.

*Visitor Services: Increase Volunteer Capacity and Engaging the Next Generation.*—We support the administration's \$2 million request to increase increased volunteer capacity through partner organizations. In conjunction with funding enacted in the fiscal year 2015, this would fund increased partnership opportunities with conservation corps to support an additional 70 volunteer coordinator positions, for a total of 140 positions.

As part of our commitment to advancing the goals of the 21st Century Conservation Service Corps, and assist the NPS reduce the maintenance backlog of historic properties, the National Trust launched the HOPE (Hands-On Preservation Experience) Crew initiative in 2014 to train young adults in preservation skills while helping protect and restore historic sites. Youth and veterans are trained in the preservation skills necessary to perform preservation work in the parks and other Federal lands through a cooperative agreement between the NPS, other Federal land management agencies, and several NGOs including the Student Conservation Association and The Corps Network. In the first year, nearly 100 Corpsmembers spent 20,000 hours completing 15 projects, including rehabilitation of properties at Shenandoah National Park, LBJ National Historical Park, FDR National Historical Site and Little Big Horn Battlefield National Monument. Projects like this can reduce the maintenance backlog while also providing job skills and education for the next generation of stewards of America's most important historic sites.

*National Park Service: Construction.*—We support the requested increase of \$91 million over fiscal year 2015 enacted for Line Item Construction. This account addresses the deferred maintenance for the NPS' highest priority non-transportation assets with projects larger than \$1 million. We also support the President's request that this fund be used for the repair and stabilization of important historic structures as opposed to new construction. Of the 6,735 highest priority non-transportation assets approximately 4,000 have deferred maintenance needs. Examples of these needs include critical health and safety issues in the lobby of the Many Glacier Hotel in Glacier National Park; the rehabilitation of historic cottages, and re-roofing Ebenezer Church and seven historic houses at Martin Luther King, Jr. Na-

tional Historic Site; and the rehabilitation of the Lincoln Memorial to provide accessible spaces, restrooms and pathways.

*National Park Service: National Heritage Areas.*—We recommend funding for National Heritage Areas (NHAs) at the fiscal year 2015 enacted level or higher. The administration's repeated proposals to reduce NHA funding, justified as "encouraging self-sufficiency," would severely impair the sustainability of the program and most likely have the exact opposite effect by rendering many NHAs not self-sufficient, but rather unable to function. National Park Service Director Jon Jarvis has described National Heritage Areas as "places where small investments pay huge dividends." We agree.

*National Park Service: Centennial Challenge.*—We support the \$10 million Centennial Challenge to provide dedicated Federal funding to match donations for signature National Park Service projects and programs. This funding will allow the NPS to leverage private contributions to enhance visitor services and improve cultural and natural resources across the parks in the Service.

*Bureau of Land Management: Cultural Resources Management.*—The BLM oversees the largest, most diverse and scientifically important collection of historic and cultural resources on our Nation's public lands as well as the museum collections and data associated with them, including 10 million artifacts and specimens, 366,232 documented cultural sites, 3,965 monitored archaeological sites, 431 maintained historic structures and 108 properties listed on the National Register of Historic Places. This program funds National Historic Preservation Act (NHPA) section 106 review of 13,000 land use proposals each year, compliance with the Native American Graves Protection and Repatriation Act and Government-to-Government consultation with Indian tribes and Alaska Native governments. Since fiscal year 2003 this program has lost 19 FTEs while the demand for section 106 compliance has remained even or increased. The loss of personnel has diminished the BLM's ability to review land proposals like transmission lines, energy development and recreation permits.

We support the administration's fiscal year 2016 request of \$17.2 million, a modest increase of \$2.075 million above fiscal year 2015 enacted. The increased support is necessary to fulfill BLM's statutory requirements for section 106 reviews of land use proposals, and NHPA's section 110 requirements for inventory and protection cultural resources. The increase would support 60 on-the-ground surveys of sensitive areas, site protection and stabilization projects for priority sites vulnerable to unauthorized activities and damage due to fire, erosion and changing water levels. Projects will also update predictive modeling and data analysis to enhance the BLM's ability to address large-scale, cross jurisdictional land-use projects.

*Bureau of Land Management: National Landscape Conservation System.*—The Bureau of Land Management's (BLM) National Landscape Conservation System (National Conservation Lands) includes 30 million acres of congressionally and presidentially designated lands, including National Monuments, National Conservation Areas, Wilderness, Wilderness Study Areas, National Scenic and Historic Trails, and Wild and Scenic Rivers.

As the Nation's newest system of protected lands, the National Conservation Lands encompass some of our country's most significant historic and cultural resources, yet the BLM's ability to steward these resources is undermined by insufficient funding. The National Conservation Lands are just one-tenth of BLM managed lands but they host one-third of all BLM's visitors. Without sufficient funding, the BLM struggles to complete essential resource protection, such as signing trails, inventorying and protecting cultural sites from looting and vandalism.

We support the administration's fiscal year 2016 request of \$81.079 million, a \$11.181 million increase over fiscal year 2015 enacted, in order to prevent critical damage to the resources found in these areas, ensure proper management and provide for a quality visitor experience. This funding level would enable BLM to hire essential management and law enforcement staff, monitor and protect natural and cultural resources, close unauthorized routes that damage fragile cultural sites and undertake needed ecosystem and species restoration projects.

*Land and Water Conservation Fund.*—The National Trust supports robust funding for the Land and Water Conservation Fund. Many of the Nation's most significant historic and cultural landscapes have been permanently protected through LWCF investments, including Martin Luther King Jr. National Historic Site, Canyons of the Ancients National Monument and Harpers Ferry National Historic Park. Culturally significant projects in the fiscal year 2016 request include Cedar Creek and Belle Grove National Historical Park (Virginia), Pecos National Historical Park (New Mexico), Gettysburg National Military Park (Pennsylvania) and the Captain John Smith Chesapeake National Historic Trail (District of Columbia/Delaware/

Maryland/Virginia). We strongly support the administration's request for the American Battlefield Protection Program Grants.

Thank you for the opportunity to present the National Trust's recommendations for the fiscal year 2016 Interior, Environment and Related Agencies Appropriations bill.

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PREPARED STATEMENT OF THE NATIONAL WILDLIFE REFUGE ASSOCIATION

Madam Chair and members of the subcommittee:

On behalf of the National Wildlife Refuge Association and its membership of current and former U.S. Fish and Wildlife Service (Service) professionals, Refuge Friends organizations and concerned citizens, thank you for your support for the National Wildlife Refuge System (NWRS), particularly for the funding increase for fiscal year 2015. We appreciate the opportunity to offer comments on the fiscal year 2016 Interior Appropriations bill and respectfully request:

- \$508.2 million for the Operations and Maintenance (O&M) accounts of the NWRS, including \$5 million for the Pacific Marine Monuments;
- \$900 million for the Land and Water Conservation Fund (LWCF), with \$173.8 million allocated for the FWS, including \$10 million for Everglades Headwaters NWR and Conservation Area (Florida); \$3 million for Silvio O. Conte NFWR (Connecticut, New Hampshire, Vermont, Massachusetts); \$3 million for Cache River NWR (Arizona); \$3 million for Flint Hills Legacy Conservation Area (Kansas); \$2 million for Bear River Watershed Conservation Area (Wyoming, Idaho, Utah); \$3.4 million for Blackwater NWR (Maryland); and \$1 million for the Clarks River NWR (Kentucky);
- \$60 million for the Refuge Fund;
- \$75 million for the FWS Partners for Fish and Wildlife Program;
- \$14 million for the FWS Coastal Program;
- \$60 million for FWS for Preparedness and Hazardous Fuels Reduction (under DOI);
- \$70 million for the State and Tribal Wildlife Grants Program;
- \$50 million for the North American Wetlands Conservation Fund;
- \$5 million for the Neotropical Migratory Bird Fund; and
- \$11 million for the Multinational Species Conservation Fund.

We understand our Nation's challenging fiscal constraints but cutting funding to programs that are economic drivers and job creators in local communities only exacerbates an already difficult situation. For example, the NWRS averages almost \$5 in economic return for every \$1 appropriated and the Partners for Fish and Wildlife program returns nearly \$16 for every \$1 spent on projects. Unfortunately, just when these public lands and programs could return economic output to communities and help them through the recession, funding fell dramatically. Budgets have not kept pace with rising costs, and the gap between the funding needed to maintain these programs and the funding appropriated has widened dramatically. The Refuge System is approximately \$72 million below what would be needed to keep pace with inflation relative to the fiscal year 2010 level (\$545.8 million inflation-adjusted).

To begin bridging that gap, NWRA urges Congress to fund these critical programs that leverage Federal dollars and serve as economic drivers.

*National Wildlife Refuge System—Operations and Maintenance*

NWRA chairs the Cooperative Alliance for Refuge Enhancement (CARE), a diverse coalition of 23 sporting, conservation, and scientific organizations representing more than 16 million Americans that supports increased funding for the Refuge System. CARE estimates the NWRS needs at least \$900 million annually to manage its 150 million acres and over 400 million acres of national marine monuments, yet it is currently funded at roughly half that amount—at less than \$1 per acre. The Refuge System cannot fulfill its obligation to the American public, our wildlife, and 47 million annual visitors without increases in maintenance and operation funds.

Funding for the Refuge System has declined substantially from a funding level of \$503 million in fiscal year 2010 to its current \$474.2 million—\$72 million below what it needs to keep pace with inflation. This has forced the Service to cut back on programs and create efficiencies whenever possible. Because of these hard decisions, the Service has cut their maintenance backlog in half from \$2.7 billion to \$1.3 billion in less than 5 years. But budget cuts also led to the loss of 430 positions since fiscal year 2011 and thus an increase in the operations backlog, now at \$735 million. Because most refuge lands and waters are highly managed, this deterioration in staffing has had a dramatic impact resulting in significant declines in habi-

tat preservation and management, hunting, fishing, volunteerism and scientific research.

For instance, visitor services staff has declined by 15 percent, forcing a reduction in public programs and hours of operation. Hunting visits are down by 5 percent since fiscal year 2011 and fishing visits are down 7 percent. Overall, there are fewer opportunities for the public to recreate, yet the desire for such programs is still high and visitation to all refuges since fiscal year 2011 has actually increased by 2.6 percent.

Reductions in visitor services can be extremely troubling to constituencies who want to visit. Take the Midway Atoll NWR in the Hawaiian Islands. In November of 2013, due to sequestration cuts, the Service suspended the visitors services program at Midway. Although in the 5 years prior to this suspension, the refuge saw only about 300 annual visitors, those visitors were passionate about their reasons for visiting. Some wanted to view more than 3.5 million birds and some wanted to visit the Battle of Midway National Memorial. Whatever their reason, they wanted to have one of the most unique refuge experiences in the entire System. Congress has asked for a GAO investigation on why the Service suspended its program; yet it's clear that when you cut the budget and lose several positions including a permanent Wildlife Biologist, Park Ranger, and Law Enforcement Officer, there will be ramifications.

Equally troubling is a 15 percent drop in the number of volunteers since fiscal year 2011. At a time when record numbers of Americans are retiring and have the capability to give back, the Service's ability to oversee their efforts has been curtailed. Volunteers provide an additional 20 percent of work on our national wildlife refuges, yet they are being turned away when the System needs them the most.

During these years of challenging budgets, the Refuge System's potential to drive local economies and create jobs is of paramount importance. *Banking On Nature*, a report issued by the FWS in 2013, shows that even during the worst recession since the Great Depression, the Refuge System saw sales and economic output increase 20 percent to \$2.4 billion, visitation increase 30 percent to 46.5 million, average return on investment increase 22 percent to \$4.87 for every \$1 appropriated, and supported jobs increase 23 percent to 35,000.

#### *Strategic Growth*

The Land and Water Conservation Fund (LWCF) is an essential tool for protecting the integrity of the Refuge System and is the primary funding source for land and conservation easement acquisition by Federal land agencies. Some in Congress have argued that public lands like the Refuge System can't manage what they have and thus, all land acquisition should end. However, in the past 20 years, lands contained within the Refuge System have only grown by 5.6 percent, while at the same time, visitation has grown by 30 percent. The real cause of rising operations and maintenance costs is that the public is hungry for more opportunities to recreate.

Increasingly, LWCF is being used to conserve working lands through the acquisition of easements that secure conservation protection while leaving the land in private ownership and on the tax rolls. Easements are powerful tools that foster public-private partnerships with ranchers, farmers and foresters to conserve wildlife, habitat and a uniquely American way of life. Innovative landscape-scale initiatives using easements have broad community and State support in New England's Connecticut River Watershed, the Flint Hills of Kansas, the Everglades Headwaters, Montana's Crown of the Continent, and the Dakota Grasslands. These iconic landscapes remain privately managed, generating tax income for local communities, securing our Nation's food, and balancing resource use and resource protection for wildlife.

In many cases, however, land acquisition is required to conserve intact and functional natural habitat. The Refuge System is responsible for safeguarding population levels of a range of species, including many that require specific habitat conditions, such as beaches for sea turtles and isolated springs for endemic desert fish. Others require multiple habitat types during their life cycle. By acquiring critical habitat areas and linking conserved lands, the Refuge System enhances the integrity of the System and strengthens our network of habitat to give wildlife space and time to respond to changes, whether from climate or changing land use patterns.

The Refuge Association calls on Congress to fund LWCF at \$900 million per year, with \$173.8 million provided in fiscal year 2016 to the FWS for conservation easements and refuge in-holdings, including the following projects and those advocated by refuge Friends:

- Everglades Headwaters NWR and Conservation Area (Florida)—\$10 million;
- Cache River NWR (Arizona)—\$3 million;

- Silvio O. Conte NFWR (New Hampshire, Vermont, Massachusetts, Connecticut)—\$3 million;
- Flint Hills Legacy Conservation Area (Kansas)—\$3 million;
- Bear River Watershed Conservation Area (Wyoming, Idaho, Utah)—\$2 million;
- Blackwater NWR (Maryland)—\$3.4 million; and
- Clarks River NWR (Kentucky)—\$1 million.

*Commitment to Refuge Communities—Refuge Fund*

The Refuge System uses net income derived from permits and timber harvests to make payments to local communities to offset property tax revenue lost when the federally acquired lands are removed from local tax rolls, and relies on congressional appropriations to the Refuge Fund to compensate for the shortfall between revenues and tax replacement obligations. Unfortunately, declining revenues and lack of appropriations have resulted in the Service paying less than 50 percent of its tax-offset obligations since 2001. The negative impact on local communities is felt even more starkly in difficult economic times and severely strains relations between the Federal units and their local community, threatening the goodwill and partnerships that are keystones of successful conservation. NWRA requests \$60 million for the Refuge Fund and thanks Chairman Calvert for his leadership in fiscal year 2015 to pursue a much-needed increase. NWRA also calls for a review of the Refuge Revenue Sharing Act of 1935 as amended, and consideration of conversion to a Payment-in-Lieu of Taxes (PILT) program to be consistent with other Federal land management agencies and to provide refuge communities with more equitable payments.

*Partnerships*

With 75 percent of all fish and wildlife species dependent upon private lands for their survival, the Partners for Fish and Wildlife program (Partners Program) is one of the most powerful tools for protecting wildlife where it lives. By building effective partnerships between public agencies and private landowners to conserve America's expansive working landscapes, the Partners Program has implemented nearly 29,000 restoration projects in the past 25 years, restoring over one million acres of wetlands, three million acres of uplands, and 11,000 miles of streams. The program has been instrumental in the success of such iconic landscape conservation projects as the Rocky Mountain Front and Blackfoot Challenge in Montana and the Flint Hills in Kansas, and is playing a key role in conserving greater sage-grouse habitat in the intermountain west.

The Partners program consistently leverages Federal dollars for conservation, generating nearly \$16 in economic return for every \$1 appropriated for projects. The Refuge Association and the landowner-led Partners for Conservation request \$75 million for fiscal year 2016. Such a funding level would result in an additional \$400 million worth of conservation across the Nation.

The Partners Program provides a bridge between private and public conservation efforts that has been instrumental in the success of large landscape partnerships from Montana to Florida, and is playing a key role in conserving greater sage-grouse habitat in the intermountain west. To this end, we request an additional \$78 million for the Interior agencies to implement sagebrush steppe habitat conservation and monitoring efforts that will leverage \$300 million in Department of Agriculture investments across the west.

*Sharing Lessons and Protecting Global Species*

Wildlife species know no international boundaries, therefore conservation must happen globally to ensure populations survive. Many international wildlife agencies look to the Refuge System as the world leader in wildlife and fish conservation. The Service's Wildlife Without Borders Program and Multinational Species Conservation Funds together support global partnerships to protect marine turtles, tigers and rhinos, great apes and elephants and other iconic species. These programs are particularly important as wildlife face a poaching crisis that is leading species such as rhinos to the brink of extinction. The Refuge Association and student-led Tigers 4 Tigers Coalition request \$11 million for the Multinational Species Conservation Fund in fiscal year 2016.

We believe that with sound conservation policy, adequate funding, and the power of more than 40,000 dedicated volunteers, the Refuge System can fulfill its mission to provide wildlife dependent recreation for Americans and protect the habitat for more than 700 species of birds, 220 species of mammals, 250 reptile and amphibian species and more than 1,000 species of fish.

We look forward to working with Congress in 2015 to accomplish this goal.

[This statement was submitted by Desiree Sorenson-Groves, *Vice President, Government Affairs.*]

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PREPARED STATEMENT OF THE NATURAL SCIENCE COLLECTIONS ALLIANCE

The Natural Science Collections Alliance appreciates the opportunity to provide testimony in support of fiscal year 2016 appropriations for the Department of the Interior (DOI). We encourage Congress to provide the DOI Working Capital Fund with at least \$74.5 million in fiscal year 2016. We also encourage Congress to provide adequate funding for the scientific collections maintained by the United States Geological Survey, National Park Service, Bureau of Land Management, and Fish and Wildlife Service. These collections are used to inform resource management and support law enforcement efforts.

The Natural Science Collections Alliance is a non-profit association that supports natural science collections, their human resources, the institutions that house them, and their research activities for the benefit of science and society. Our membership consists of institutions which are part of an international community of museums, botanical gardens, herbaria, universities, and other institutions that contain natural science collections and use them in research, exhibitions, academic and informal science education, and outreach activities.

Scientific collections are a vital component of our Nation's research infrastructure. Whether held at a museum, government managed laboratory or archive, or in a university science department, these scientific resources contain genetic, tissue, organismal, and environmental samples that constitute a unique and irreplaceable library of the Earth's history. The specimens and their associated data drive cutting edge research on significant challenges facing modern society, such as improving human health, enhancing food security, and understanding and responding to environmental change. Collections also inspire novel interdisciplinary research that drives innovation and addresses some of the most fundamental questions related to biodiversity.

The institutions that care for scientific collections are important research centers that enable scientists to study the basic data of life, conduct modern biological, geological, and environmental research, and provide undergraduate and graduate students with hands-on training opportunities.

According to the Federal Interagency Working Group on Scientific Collections, "scientific collections are essential to supporting agency missions and are thus vital to supporting the global research enterprise." In recognition of the importance of collections, the Office of Science and Technology Policy issued a memo in 2010 that directed Federal agencies to budget for the proper care of collections. "Agencies should ensure that their collections' necessary costs are properly assessed and realistically projected in agency budgets, so that collections are not compromised."

Preservation of specimens is not only in the best interest of science, it is also in the best interest of taxpayers. Proper care of existing scientific collections is typically more cost effective than recollecting the information. Moreover, preservation of specimens and associated data allows for integration into new research. Specimens that were collected decades or centuries ago are often used in cutting edge research in the fields of genetics, biodiversity, and human health.

We are pleased to see that DOI has included an increase of \$1.0 million in its budget request for the Cultural and Scientific Collections Management initiative. Interior is an important caretaker of museum collections; the Department has an estimated 146 million items, which is second in size to the Smithsonian Institution. Although many of the department's collections are located in bureau facilities, artifacts and specimens are also housed by non-governmental facilities, such as museums and universities.

The United States Geological Survey (USGS) plans to maintain its efforts to preserve, inventory, and digitize geological scientific collections, such as rock and ice cores, fossils, and samples of oil, gas, and water. The National Geological and Geophysical Data Preservation program helps States with collections management, improves accessibility of collections data, and expands digitization of specimens. We are grateful to Congress for awarding additional funds for this program in fiscal year 2014. USGS plans to maintain the expanded program in fiscal year 2016.

Another USGS program is supporting public access to biodiversity information. The Biodiversity Information Serving Our Nation system is the only Web-based Federal resource for finding species in the United States and contains 168 million records. It also serves as the U.S. connection to the Global Biodiversity Information Facility.

The National Park Service is planning to continue its investments in scientific collections. The proposed budget would support plans to catalog an additional two million museum objects in fiscal year 2016. Additionally, several parks will address planning, environmental, storage, security, and fire protection deficiencies in museum collections.

#### CONCLUSION

Scientific collections are an important part of our Nation's research enterprise. Research specimens connect us to the past, are used to solve current societal problems, and are helping to predict future environmental changes. Sustained investments in scientific collections are critical for our Nation's continued scientific leadership. Please support the budget request for the Department of the Interior's Capital Working Fund, which will support Interior's efforts to preserve scientific collections—a truly irreplaceable resource.

Thank you for your thoughtful consideration of this request.

[This statement was submitted by Larry Page, Ph.D., *President*.]

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#### PREPARED STATEMENT OF THE THE NATURE CONSERVANCY

Chairman Murkowski, Ranking Member Udall and members of the subcommittee, thank you for the opportunity to submit recommendations for fiscal year 2016 appropriations. The Nature Conservancy is an international, non-profit conservation organization working around the world to protect ecologically important lands and waters for nature and people. Our mission is to conserve the lands and waters upon which all life depends.

As we enter the fiscal year 2016 budget cycle and another year of a challenging fiscal environment, the Conservancy continues to recognize the need for fiscal austerity. The Conservancy also wishes to thank this subcommittee for the final fiscal year 2015 funding levels for Department of Interior and U.S. Forest Service conservation programs. Our budget recommendations this year reflect a balanced approach with funding levels consistent in most cases with fiscal year 2015 funding levels or, in rare instances, reflect specific program needs. Of particular note, we wish to work with this subcommittee and the authorizing committees on identifying permanent funding solutions for wildfire funding, the Land and Water Conservation Fund, the Payment in Lieu of Taxes Program and Secure Rural Schools. The Conservancy is concerned about the increasing impacts of wildfire suppression funding on Interior funding levels and urges the subcommittee to adopt the bipartisan and widely supported Wildfire Disaster Funding Act (H.R. 167; S. 235). This process of funding suppression for the Department of the Interior and the USDA Forest Service will create budgetary stability and accountability while liberating critically needed appropriations funds within the Interior allocation. We also strongly support the emphasis on funding for sage-grouse conservation in the fiscal year 2016 budget request.

*Land and Water Conservation Fund (LWCF).*—The fiscal year 2016 President's budget again proposes the establishment of a dedicated source of long-term funding for the Land and Water Conservation Fund. In the proposal, the President's budget includes \$400 million for LWCF activities through "current authority" or discretionary appropriations and then an additional \$500 million in "permanent authority" or mandatory funding for LWCF. The budget then proposes to reach the \$900 million funding level in fiscal year 2016 through this blend of current and permanent funding. The Conservancy supports this phased shift to mandatory funding for the LWCF Program. However, consistent with prior years and as noted above, we believe the administration must work closely with the relevant appropriations and authorizing committees to move this proposal forward. Additionally, the Conservancy supports the balanced approach in the budget on both "core" and "collaborative" LWCF projects. Projects in the Upper Rio Grande landscape in Colorado and New Mexico, Rivers of the Chesapeake in Maryland and Virginia, and the Island Forests at Risk landscapes of Hawaii will benefit greatly from the collaborative emphasis. Our core priorities this year include the Silvio O. Conte NFWR (New Hampshire/Vermont/Connecticut/Massachusetts) and the working ranches and agricultural production areas of Florida's Everglades Headwaters NWR & Conservation Area, North Dakota and South Dakota's Dakota Grasslands Conservation Area, Utah, Idaho and Wyoming's Bear River Watershed Conservation Area and Kansas' Flint Hills Legacy Conservation Area.

*Forest Legacy.*—We support a minimum of \$61 million for the Forest Legacy Program in current discretionary funding and the \$39 million in permanent funding (with our aforementioned caveats).

*Endangered Species.*—The Conservancy supports a funding level of at least \$50 million for the Cooperative Endangered Species Conservation Fund (CESCF), and also requests the subcommittee give consideration to the additional fiscal year 2015 President's budget request for permanent funding per our earlier request for negotiations to occur between the administration and relevant congressional committees on a path forward for this funding.

*Colorado River Basin Recovery Programs.*—The Conservancy supports the President's fiscal year 2015 budget request of \$5.05 million for USBR and \$1.46 million for FWS for the Colorado River Basin recovery programs, including endangered species funding for the Upper Colorado River Endangered Fish Recovery Program, recovery funds for the San Juan River Basin Recovery Implementation Program, and fish hatchery needs associated with the recovery plans.

*Wildlife Planning.*—The Conservancy continues to support the Western Governors' Association's (WGA) and this subcommittee's efforts to recommend Federal land management agencies utilize State fish and wildlife data and analyses to inform the land use, land planning and related natural resource decisions of those agencies. As an example of strong State-led data systems, WGA has partnered in recent years with State wildlife agencies and the Federal Government to develop statewide GIS mapping tools to identify crucial wildlife habitat and migratory corridors. These geospatial mapping tools, which provide access to credible, broad-scale scientific data—compiled and analyzed by the States—are designed to reduce conflicts and surprises while ensuring wildlife values are better incorporated into land use planning, particularly for large-scale linear projects.

*State and Tribal Wildlife Grants.*—The Conservancy supports the fiscal year 2016 funding level—\$70 million—for this program. Strong Federal investments are essential to ensure strategic actions are undertaken by State, tribal and Federal agencies and the conservation community to conserve wildlife populations and their habitats.

*Wildlife Conservation Programs.*—The variety of wildlife conservation programs conducted by FWS continue a long and successful tradition of supporting collaborative conservation in the U.S. and internationally. We urge the subcommittee to fund the President's request for such established and successful programs as the North American Wetlands Conservation Fund (NAWCA), Neotropical Migratory Bird Conservation Fund (NMBCA), and the FWS Coastal Program. We support the President's request for the Migratory Bird Joint Ventures and the FWS Migratory Bird Management Program. For the latter, we are particularly supportive of FWS' efforts at developing updated eagle permitting regulations which will both support the development of renewable energy in our country and contribute to sustainable and growing populations of these iconic North American species. We support the President's fiscal year 2016 request for the Partners for Fish and Wildlife Program and the requested funding for Cooperative Landscape Conservation and Adaptive Science (\$17.87 million). The latter will help support DOI's overall commitment to Landscape Conservation Cooperatives and will contribute to collaborative problem solving for some of our Nation's most challenging issues. We also request strong funding this year for the National Fish Habitat Initiative.

*Resilience.*—The Conservancy wishes to highlight three components of the President's budget focused on resilience: \$50 million for a DOI competitive grant program modeled after the Hurricane Sandy Competitive Grant Program to expand the footprint of healthy ecosystems that deliver valuable ecosystem services, including flood attenuation and storm risk reduction, to nearby communities; \$89 million for DOI's WaterSMART program, which promotes water conservation initiatives and technological breakthroughs; and \$20 million to continue expanding and improving the recently-released online Climate Resilience Toolkit, which provides scientific tools and information to help tribes, communities, citizens, businesses, planners, and others understand and manage their climate-related risks and opportunities, and improve their resilience to extreme weather events. The Conservancy supports these requests.

*International Programs.*—The international conservation programs appropriated annually within the Department of Interior are relatively small but are effective and widely respected. They encompass the U.S. Fish & Wildlife Service's (FWS) Multi-national Species Conservation Funds, the FWS Wildlife Without Borders regional and global programs, the U.S. National Park Service International Program, and the U.S. Forest Service International Program (USFS-IP). We urge that fiscal year 2016 levels for these programs remain equivalent to fiscal year 2015 levels at a minimum.



*National Wildlife Refuge System.*—The Conservancy supports the President's budget request of \$508.2 million for the Refuge System's Operations and Maintenance accounts. Found in every U.S. State and Territory, national wildlife refuges conserve a diversity of America's environmentally sensitive and economically vital ecosystems, including oceans, coasts, wetlands, deserts, tundra, prairie, and forests. This represents the funding necessary to maintain management capabilities for the Refuge System.

*USFS & DOI Wildland Fire Management.*—The Wildfire Disaster Funding Act (WDFDA) must be approved prior to an fiscal year 2016 appropriations package to adequately fund suppression and provide flexibility for activities that reduce fire risk and long-term suppression costs in fiscal year 2016. The Conservancy greatly appreciates the subcommittee's support of this much-needed fire funding fix.

*Hazardous Fuels and Restoration.*—The Conservancy also appreciates Congress' emphasis on proactive hazardous fuels reduction and community preparedness along with a commitment to safe and cost-effective wildfire response strategies. In light of this approach and through the enactment of WDFDA, the Conservancy recommends investing in Hazardous Fuels at levels of \$479 million and \$178 million for USFS and DOI, respectively, and repeating the subcommittee's fiscal year 2012 instructions for allocating funds to priority landscapes in both WUI and wildland settings. The Conservancy appreciates the subcommittee's support of the Integrated Resource Restoration (IRR) pilot with the expectation of increased restoration. The Conservancy recommends continuing the IRR pilot for another year. We recommend \$86 million for the State Fire Assistance program. The Conservancy recommends increasing funding for the Collaborative Forest Landscape Restoration Program to \$60 million for the existing 23 and new projects. This important program works to restore large forest landscapes, provide jobs that sustain rural economies, reduce the risk of damaging wildfire, improve wildlife habitat and decommission unused, damaging roads. The Conservancy also recommends supporting the Landscape Scale Restoration proposal funded at \$24 million.

*Roads and Trails.*—The National Forests have a legacy of unneeded roads that erode into streams and fragment wildlife habitat. Road maintenance and decommissioning is an essential restoration action that improves the health of lands and waters, while providing jobs. The Conservancy recommends the Legacy Roads and Trails program be funded at \$45 million. Additionally, the Conservancy recommends report language that directs the agency to prioritize road and trail (construction, reconstruction, maintenance, and decommissioning) projects that would improve stream crossings for aquatic organisms and other important multiple benefits, such as flood mitigation.

*USFS Forest Health & Research.*—The Forest Health program is a critical resource supporting efforts to prevent, contain, and eradicate dangerous pests and pathogens affecting trees and forests. Further, this program leads Federal efforts to counter forest pests which have become widespread. The Conservancy recommends funding the Federal and cooperative Forest Health programs at a combined level of \$111 million. The Forest and Rangeland Research program provides the scientific basis for policies that improve the health and quality of urban and rural communities, by providing protection from fire, detecting and managing forest pests and the pathways, improving water and air quality, among many other benefits. For Forest and Rangeland Research, the Conservancy requests the fiscal year 2012 level of \$304 million, separate from a request of \$83 million for Forest Inventory and Analysis.

*Sage-Grouse Conservation.*—This budget includes a much-needed infusion of funding toward the ongoing efforts to restore and conserve sagebrush habitat and the greater sage-grouse through the inclusion of \$78 million for Interior agencies (\$68.3 million—BLM, \$5 million—FWS, \$4.8 million—USGS) to implement BLM plans and to support the partnership and science necessary for effective conservation. The budget also contains \$62.6 million for LWCF sage-steppe related conservation projects and \$30 million in funding for the a new Resilient Landscapes program within the Office of Wildland Fire that the Department anticipates will support resilience work in the sagebrush ecosystem. This funding, combined with support for agency core budgets and partnership programs such as the State and Tribal Wildlife Grant Program and section 6 Cooperative Endangered Species Grant Program, resembles a ramped up effort by this administration to work in a more coordinated fashion with States and non-Federal partners toward on-the-ground conservation.

*BLM Landscape Approaches to Land Management and Renewable Energy Development.*—The Conservancy supports the administration's recommended fiscal year 2016 funding for BLM's initiatives to implement landscape approaches to land management which include Rapid Ecoregional Assessments, Resource Management Planning and the Planning 2.0 initiative, Regional Mitigation Planning, coordination

with LCCs, and the Assessment, Inventory, and Monitoring (AIM) Strategy. Many BLM programs contribute to these cross-cutting initiatives including: National Landscape Conservation System—(\$11.2 million); Resource Management Planning program (\$59.34 million); Wildlife and Fisheries management (\$89.38 million request); and Threatened and Endangered species management (\$21.6 million request). Additionally, the Conservancy supports continued funding for BLM's renewable energy development program at \$29.3 million which includes implementation of the Western Solar Energy Program. Collectively, these efforts will help BLM manage its lands efficiently and effectively for energy development, species and habitat conservation, recreation, and other uses to maximize the public benefit from these lands.

*Environmental Protection Agency.*—EPA's "geographic" programs including the Chesapeake Bay, Great Lakes, Gulf of Mexico, Puget Sound and Mississippi River programs make a significant contribution to protecting habitat and water quality in the large landscapes where they work. The Conservancy urges the subcommittee to continue strong funding for these programs.

Thank you for the opportunity to submit The Nature Conservancy's recommendations for the fiscal year 2016 Interior, Environment and Related Agencies Appropriations bill.

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#### PREPARED STATEMENT OF THE NEW ENGLAND FOREST POLICY GROUP

Madam Chairman, and distinguished members of the subcommittee, we are grateful for the opportunity to submit testimony today on behalf of the New England Forest Policy Group and the 102 conservation, forestry, and recreation interests listed at the end of my testimony.

We respectfully request an increase in overall funding for the Land and Water Conservation Fund (LWCF) to the Authorized level of \$900 million, including \$100 million for the Forest Legacy Program, \$556.879 million for the Federal LWCF, \$100.121 million for the State Grants Program, and \$25 million for the Urban Park and Recreation Fund in the fiscal year 2016 Interior and Environment Appropriations bill. We also respectfully request a minimum of \$5 million for the Community Forest and Open Space Conservation Program, \$34.145 million for the North American Wetlands Conservation Act, \$70 million for the State and Tribal Wildlife Grants Program, \$10 million for the Recreational Trails Conservation Assistance Program, \$31 million for Urban and Community Forestry, \$48 million for the Cooperative Forest Health Program, and \$29 million for the Forest Stewardship Program.

These levels are based upon the established needs of the New England States and in consideration of the demands these Programs face across the Nation. These conservation and forestry programs provide great benefit to communities that depend upon our region's forests and to the Nation as a whole. Anything less than the requested funding will further impact these Programs' effectiveness, especially in light of notable funding declines over the past decade. Inscrutably, America is under-investing in its natural resources despite the clear economic, ecologic, and cultural value to our health, well-being, and future.

The New England Forest Policy Group is an informal coalition of forestry, recreation, and conservation organizations and businesses united by efforts to conserve and utilize the forested landscapes that characterize our region. New England's forests are the backbone of our forest products and recreation economies, and they provide other services of incalculable value including clean water and biodiversity protection, climate mitigation, and flood resilience. As the most forested region in the country, New England's economy is strongly dependent on the health and integrity of its forests. New England's forests are 80 percent privately owned, mostly in relatively small parcels, and landowners are facing profound challenges from rising land prices, escalating development pressures, climate change, and associated threats that will significantly diminish this irreplaceable landscape without the support of the programs we list here.

As the subcommittee crafts its Interior and Related Agencies Appropriations bill, there are several key points we respectfully request you to consider:

1. *Overall Funding for the Land and Water Conservation Fund (LWCF) at \$900 million.*—Funding at the recommended \$900 million is critical for the conservation of the natural legacy of New England and the country. For 50 years, LWCF has protected our Nation's natural and historic treasures and is a vital tool for conserving working forests, wildlife habitat, and supporting State and local parks. It is paid for by a portion of receipts from offshore oil and gas drilling; it is not funded from taxpayer dollars. All six New England States will receive funding for critically im-

portant LWCF and Forest Legacy projects if the requested level of \$900 million is provided in fiscal year 2016. But more than half of New England's fiscal year 2016 Forest Legacy projects are not likely to succeed unless full funding is appropriated.

2. *New England Needs for Federal Land Acquisition under LWCF.*—In fiscal year 2016, New England's proposed Federal LWCF projects are found in the "Discretionary" sections of the administration's proposed budget; however if the full \$400 million "Discretionary" funding level is not funded, it is likely several of these important projects will not be completed.

a. *National Park Service LWCF Acquisitions—New England National Scenic Trail in Massachusetts at \$875,000, part of the Collaborative Landscape Proposal for the National Trails landscape (#17, Discretionary).*—The proposed fiscal year 2016 LWCF funds are necessary for conserving and expanding the New England National Scenic Trail. New England's outdoor recreation economy is worth approximately \$43 billion each year and supports more than 330,000 jobs, according to the Outdoor Industry Association.

b. *U.S. Fish and Wildlife Service LWCF Acquisitions—The Silvio O. Conte National Fish and Wildlife Refuge at \$2 million (#11, Discretionary).*—Securing protection of these ecologically rich watersheds and habitat corridors is a top regional priority. The Conte Refuge encompasses the spectacular Connecticut River watershed—a critical four-State habitat corridor and a treasure trove of ecological diversity, recreation, and economic opportunity.

c. *National Park Service LWCF Acquisitions—Acadia National Park at \$2.476 million (#17, Discretionary).*—Acadia National Park contributed \$221.8 million to Maine's economy in 2014 and supported more than 3,485 jobs. This project will secure an inholding that provides high priority access and protection to the paddling gem, Round Pond.

3. *LWCF State Grants Program—\$100.21 million (Programmatic, Discretionary and Mandatory).*—The LWCF State assistance program provides matching grants to help States and local communities protect parks and recreation resources. This is the primary Federal investment tool to ensure that families have easy access to parks and open space, hiking and riding trails, and neighborhood recreation facilities.

4. *US Forest Service Programs of Special Importance to New England—USFS Forest Legacy and USFS Community Forest Programs.*—These two programs in the Interior Appropriations bill are particularly important to New England given our region's high percentage of private forestland ownership and the intense development pressures on these lands.

a. *USFS Forest Legacy Program (FLP) needs full \$100 million Appropriation to meet New England's needs.*—The FLP has protected more than one million acres of forestland in New England since its establishment in the 1990 Farm Bill. Originally created to help address needs in New England and New York, this program has expanded to 53 States and Territories while funding levels remain static. New England has an outstanding group of FLP projects in the proposed fiscal year 2016 budget, including 2 of the top 15 projects nationally. FLP must receive the full \$100 million requested to ensure that all of New England's projects are funded. New England's full fiscal year 2016 interests include:

—\$3.8 million for Big Six Forest in Maine (#6, Discretionary); \$1.43 million for Whip-Poor-Will Woods in Connecticut (#12, Discretionary).

—\$4 million for the Worcester Woods in Vermont (#20, Mandatory); \$1.35 million for Groton Forest Legacy Initiative projects in Vermont (#28, Mandatory), \$510,000 for Oliverian Valley in New Hampshire (#32, Mandatory), and \$820,000 for Arcadia Woodlands in Rhode Island (#41, Mandatory).

b. *USFS Community Forest Program needs a minimum of \$5 million.*—The Community Forest Program (CFP) is a 50–50 matching grant program to help local governments, tribes, and non-profit organizations expand the region's proud tradition of locally owned and managed lands, such as town forests. In the fiscal year 2014 round of CFP grants, project partners leveraged \$2.3 million in Federal funds to secure \$4.9 million in non-Federal funding. In our region, CFP grants have been awarded for economically important community forest projects in Barre and Dorset, Vermont; and in Easton, New Hampshire. Funding the Community Forest Program at the \$5 million level will much better match demand than the administration's proposed level. This program is critical to New England's community character and economic vitality.

5. *North American Wetland Conservation Act (NAWCA) at \$34.145 million.*—The Nation's premier conservation program for wetland habitat protection and restoration is critical to New England. Our remarkable marshes and coastal and estuarine

habitats support commercial and sport fisheries and myriad wildlife species. These lands are also important for protecting coastal communities—a high regional priority given recent devastating events like Hurricane Irene and Superstorm Sandy.

6. *State and Tribal Wildlife Grants Program (SWG) at \$70 million.*—This important U.S. Fish and Wildlife Service program provides Federal grant funds for developing and implementing programs that benefit wildlife and their habitats and provides core funding for research, habitat restoration, and monitoring under the State Wildlife Action Plans. \$70 million will reinvigorate the program and benefit landowners by keeping species off the Endangered Species list.

7. *Rivers and Trails Conservation Assistance Program (RTCA) at \$10 million.*—RTCA partners with communities to protect 700 miles of rivers, create 1,300 miles of trails, and conserve over 60,500 acres of open space annually. RTCA allows the NPS to support private conservation organizations as well as local and State governments, usually in coalition, to foster important recreation, river protection, and land conservation efforts. This program is of high value to the populous New England States.

8. *Cooperative Forestry Program (including Urban & Community Forestry at \$31 million, Cooperative Forest Health at \$48 million, Forest Stewardship at \$29 million).*—These programs fund landowner services provided by State Foresters and Cooperative Extension Foresters. The proposed funding levels reflect the critical needs for private forestlands as endorsed by the National Association of State Foresters. The programs provide educational services to landowners and communities, and help ensure that our forested landscape remains healthy, resilient, and economically viable. Levels lower than those recommended will result in curtailing of vital services that help New England's family forest landowners sustainably manage their land.

9. *Urban Park and Recreation Fund (UPARR) at \$25 million.*—The President's budget proposes that UPARR, which provides matching grants and technical assistance to urban communities, be included within the LWCF umbrella and the proposal for full funding. It helps provide Federal assistance for rehabilitation of critically needed recreation facilities and for recreation planning in many New England communities.

10. *Wildfire Disaster Funding at \$2.118 billion.*—This funds wildfire suppression to protect the Nation's forest resources from wildfires. Our request reflects the modeled levels of suppression through the Interior bill and the wildfire budget cap adjustment to meet suppression needs in fiscal year 2016. Current spending levels for the suppression and FLAME accounts will not be sufficient for fiscal year 2016 and fighting fires will end up coming at the expense of other already constrained programs. We appreciate the subcommittee's support of the bipartisan Wildfire Disaster Funding Act (WDFR—H.R. 167; S. 235) and respectfully request that the language be highlighted in the bill.

In closing, we thank the subcommittee for your continuing leadership on Federal land conservation and forest viability matters and for the opportunity to provide this testimony. Signatory organizations represented by this testimony:

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| Androscoggin Land Trust (Maine)  | Conservation Law Foundation                                      |
| Appalachian Mountain Club  | Cornwall Conservation Trust                                      |
| Appalachian Trail Conservancy  | (Connecticut)  |
| Aspetuck Land Trust (Connecticut)  | East Haddam Land Trust (Connecticut)                             |
| Audubon Connecticut  | East Quabbin Land Trust  |
| Audubon Society of New Hampshire   | (Massachusetts)  |
| Audubon Society of Rhode Island  | Environmental League of Massachusetts                            |
| Audubon Vermont  | Essex County Greenbelt Association                               |
| Bear-Paw Regional Greenways (New Hampshire)  | (Massachusetts)  |
| Boxford Trails Association/Boxford Open Land Trust (Massachusetts)                       | Fairfield County Regional Conservation Partnership (Connecticut) |
| Cold Hollow to Canada (Vermont)  | Forest*Care (Vermont)  |
| The Compact of Cape Cod Conservation Trusts (Massachusetts)                              | Forest Society of Maine  |
| Connecticut Forest and Park Association  | Franklin Land Trust (Massachusetts)                              |
| Connecticut Fund for the Environment/Save the Sound                                      | Friends of Acadia National Park (Maine)                          |
| Connecticut Land Conservation Council  | Friends of Minuteman National Park (Massachusetts)               |
| Connecticut River Watershed Council (New Hampshire, Vermont, Massachusetts, Connecticut) | Friends of the Moshassuck (Rhode Island)                         |
| Conservation Collaboratives, LLC   | Friends of Pondicherry (New Hampshire)                           |
|  | Friends of the Rachel Carson NWR (Maine)                         |

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| Friends of the Silvio O. Conte NWR<br>(New Hampshire, Vermont,<br>Massachusetts, Connecticut) | New England Wild Flower Society                                   |
| Greater Lovell Land Trust (Maine)   | New Hampshire Recreation and Parks<br>Association                 |
| Green Mountain Club (Vermont)   | Newtown Forest Association<br>(Connecticut)                       |
| Harris Center for Environmental Studies<br>(New Hampshire)                                    | North Woods Resource Group, Inc.                                  |
| High Peaks Alliance (Maine)   | Northeast Wilderness Trust  |
| Highstead Foundation  | Northern Forest Canoe Trail                                       |
| Housatonic Valley Association<br>(Massachusetts, Connecticut, New<br>York)                    | Northern Forest Center  |
| Ipswich River Watershed Association   | Northland Forest Products, Inc.                                   |
| Kennebec Estuary Land Trust (Maine)   | Opacum Land Trust (Massachusetts)                                 |
| Kestrel Land Trust (Massachusetts)  | Open Space Institute  |
| Land Conservancy of Ridgefield<br>(Connecticut)   | Quabbin to Cardigan Partnership (New<br>Hampshire, Massachusetts) |
| Litchfield Hills Greenprint Collaborative<br>(Connecticut)                                    | Randolph Community Forest (New<br>Hampshire)                      |
| Littleton Conservation Trust<br>(Massachusetts)   | Rangeley Lakes Heritage Trust (Maine)                             |
| Loon Echo Land Trust (Maine)  | Redding Conservation Commission<br>(Connecticut)                  |
| Lyme Timber Company   | Rensselaer Plateau Alliance (New York)                            |
| Maine Appalachian Trail Land Trust  | Rhode Island Forest Conservators<br>Organization                  |
| Maine Coast Heritage Trust  | Rhode Island Woodland Partnership                                 |
| Maine Wilderness Guides Organization  | Ridgefield, Connecticut Conservation<br>Commission                |
| Massachusetts Association of<br>Conservation Commissions                                      | Salisbury Association Land Trust<br>(Connecticut)                 |
| Mass Audubon  | Sandy River Land Trust (Maine)                                    |
| Massachusetts Land Trust Coalition  | Sharon Land Trust (Connecticut)                                   |
| Massachusetts Rivers Alliance   | Shelburne Trails Club (New Hampshire)                             |
| MassConn Sustainable Forest<br>Partnership (Massachusetts,<br>Connecticut)                    | Sierra Club, Massachusetts Chapter                                |
| Massachusetts Woodlands Institute   | Sierra Club, Vermont Chapter                                      |
| Middlesex Land Trust (Connecticut)  | Society of American Foresters, Green<br>Mountain Division         |
| Mill River Greenway Initiative<br>(Massachusetts)   | Society for the Protection of New<br>Hampshire Forests            |
| Monadnock Conservancy (New<br>Hampshire)  | Southeastern Massachusetts Pine<br>Barrens Association            |
| Mount Grace Land Conservation Trust<br>(Massachusetts)  | The Conservation Fund   |
| Mt. Agamenticus to the Sea<br>Conservation Initiative (Maine)                                 | The Trust for Public Land   |
| National Audubon Society  | The Wilderness Society  |
| The Nature Conservancy  | Upper Valley Land Trust (New<br>Hampshire, Vermont)               |
| Natural Resources Council of Maine  | Vermont Land Trust  |
| New England Farmers Union   | Vermont Natural Resources Council                                 |
| New England Forestry Foundation   | Vermont River Conservancy   |
|   | Vermont Woodlands Association                                     |
|   | Wildlands Trust (Massachusetts)                                   |

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PREPARED STATEMENT OF THE NEW YORK STATE ASSEMBLY

Dear Senator Murkowski:

The Great Lakes are a vast natural resource, larger in area than the U.S. States of New York, New Jersey, Connecticut, Rhode Island, Massachusetts, Vermont, and New Hampshire combined. This international resource represents a massive economic engine generating nearly \$35 billion/year and is responsible for 75,000 jobs in fishing, tourism and related industries. Several independent sources estimate \$7.0 billion/year is directly attributable to Great Lakes fisheries alone. The highest quality science possible is required to inform wise management decisions concerning conservation, water management, and fisheries resources throughout the Great Lakes Basin.

Much of Lake Erie's coast is located in the 149th assembly district, the district I represent in the New York State Assembly. My district strongly supports the U.S. Geological Survey's Great Lakes Science Center (USGS GLSC) fisheries science be-

cause the products they develop are foundational to management decisionmaking on Great Lakes fisheries. The USGS GLSC conducts impartial, high-quality science essential to Federal, State, tribal, and provincial management programs throughout all five of the Great Lakes and in all eight Great Lakes States. Great Lakes management jurisdictions depend on the USGS GLSC Deepwater and Invasive Species Programs to provide data critical to understanding the long-term condition of the fish communities, and to development of tools and technologies needed to combat invasive species like the sea lamprey that threaten the valuable sport and commercial fisheries.

USGS GLSC scientific research capabilities have been hit hard by back-to-back years of budget erosion, and worsened by a 6 percent cut from sequestration in 2013. Their budget in 2014 was at the same level it was 5 years ago in 2009. The ongoing budget impacts have led to an accumulation of more than 15 unfilled scientific/technical positions distributed throughout the Great Lakes Region. For several years now, USGS GLSC has been improvising to address the unfilled positions, but their capacity to deliver critical scientific information in a timely manner is in jeopardy. This high quality, impartial scientific information from USGS GLSC is absolutely essential for wise management of the fisheries and to protect them from invasive species. Now, for the first time since the President was elected, his 2016 budget highlights two areas where the USGS GLSC programs would experience relatively small budget increases. The President proposes: (1) a \$250,000 increase for the Great Lakes Deepwater Assessments; and (2) a bureau-wide \$2.0 million increase for Invasive Species which would likely result in a portion of those funds being directed to USGS GLSC. The language for the proposed funds for Great Lakes Fisheries Assessments (pg. C-52) and for New and Emerging Invasive Species (pg.C-26) can be found in the fiscal year 2016 USGS Budget Justification at: [http://www.doi.gov/budget/appropriations/2016/upload/FY2016\\_USGS\\_Greenbook.pdf](http://www.doi.gov/budget/appropriations/2016/upload/FY2016_USGS_Greenbook.pdf).

Representing the 149th district, I greatly appreciate the subcommittees' ongoing support for programs that sustain and restore the Great Lakes. Herein, I join the Great Lakes Fishery Commission Council of Lake Committees in supporting \$17.5 million in fiscal year 2016 appropriations for the U.S. Geological Survey's Great Lakes Science Center. Currently, the USGS GLSC receives approximately \$8.5 million in appropriated funding to support science programs critical to the management of these incredibly valuable resources. Compared to economic returns generated from the Great Lakes, this funding level only represents about 1.2 percent of the annual fisheries related revenue and less than 0.03 percent of the revenue attributable to closely related industries. Our request for \$17.5 million in fiscal 2016 appropriations represents an \$8.75 million increase above the President's fiscal year 2016 request. The President's fiscal year 2016 request for \$250,000, combined with our requested increase of \$8.75 million, and the \$8.5 million annual appropriation allocated to the GLSC reaches the \$17.5 million, and reflects long-standing, well recognized needs for this chronically underfunded science program. These needs were previously detailed in a March 2010 bi-partisan letter authored by nine U.S. Senators and 21 U.S. House members wrote to their congressional appropriation leadership to request a total science budget of \$15.0 million; and again 2 years later in April 2012, by the Association of Fish and Wildlife Agencies describing the importance of the USGS programs to regional management decisions, and recommending an appropriated science budget of \$15.0 million. The current requested increase to \$17.5 million will address uncontrollable costs over the past 5 years and boost investments in advanced technology. Investments in technologies to assess the fishery have fallen well behind marine programs. GLSC scientists need to have access to 21st Century innovations like autonomous samplers that can provide critical resource information with greater spatial and seasonal coverage, and less overall cost than traditional hands-on measurements.

The importance of the USGS information and the risks posed by budget cuts to their science has been well documented. The USGS scientific workforce has been particularly hard hit with unfilled permanent scientific/technical positions throughout the Great Lakes Region. The USGS has been improvising for several years to address the unfilled positions, but their capacity to deliver the critical and high quality scientific information in a timely manner is now in jeopardy.

We urge you to embrace these requests in the President's budget; and respectfully ask you to increase these additions by \$8.75 million for a total increase of \$9.0 million for the USGS GLSC Deepwater Assessments.

[This statement was submitted by Sean M. Ryan, *Member of New York State Assembly*.]

## PREPARED STATEMENT OF THE NEZ PERCE TRIBE

The Nez Perce Tribe would like to provide the following testimony to this subcommittee as it evaluates and prioritizes the appropriations for the Indian Health Service (IHS), Bureau of Indian Affairs (BIA), Environmental Protection Agency (EPA), the Forest Service and the Fish and Wildlife Service in relation to the needs of tribal nations for fiscal year 2016.

As with any government, the Nez Perce Tribe does a wide array of work and provides a multitude of services to the tribal membership as well as the community at large. The Nez Perce Tribe has a health clinic with a satellite office, a tribal police force, a social services department, a comprehensive natural resource program that does work in forestry, wildlife management, land services and land management, habitat restoration, air quality and smoke management, water quality and sewer service, and one of the largest fisheries departments of any tribe in the nation working on recovery of listed species under the Endangered Species Act. The Nez Perce Tribe conducts its extensive governmental functions and obligations through a comprehensive administrative framework, which is necessary for a sovereign nation that preserves and protects the treaty rights of the Nez Perce People in addition to providing the day to day governmental services to its members and the surrounding communities. The Nez Perce Tribe has long been a proponent of self determination for tribes and believes its primary obligation is to protect the treaty-reserved rights of the Nez Perce Tribe and its members. All of the work of the tribe is guided by this principle. As a result, the tribe works extensively with many Federal agencies and proper funding for those agencies and their work with, for and through tribes is of vital importance. This work cannot be accomplished unless the United States continues to affirm and follow through on its trust responsibility and properly fund programs.

## INDIAN HEALTH SERVICES

The Nez Perce Tribe currently operates a healthcare clinic on the Nez Perce Reservation, Nimiipuu Health. The main clinic facility is located in Lapwai, Idaho with a satellite facility located 65 miles away in Kamiah, Idaho. Nimiipuu Health provided service to 3,820 patients last year. These 3,820 patients represented 47,673 visits which does not include pharmacy and laboratory visits but only medical provider visits. Our expenditure total for fiscal year 2014 was \$13,942,622. Our Purchased/Referred Care costs for outpatient services for fiscal year 2014 was \$4,125,475.

Although the Nez Perce Tribe supports the proposed \$460.6 million increase in funding over the fiscal year 2015 levels proposed by the President, it is important to note that this increase still lags far behind where funding should be to offset the growing needs of the programs and medical inflation which is estimated to be another \$297.2 million. Also, the tribe supports the recommendation of a \$50 million dollar increase in funding proposed for purchased and referred care, but it too falls well short of the true need in Indian Country as is illustrated by the spending needs of just the Nez Perce clinic. The National Congress of American Indians actually recommends an increase of 198.2 million. Additionally, the tribe supports \$718 million to be allocated for Contract Support Costs.

Because full funding of these obligations is so important to Indian Country, the tribe supports the administration's innovative proposal to reclassify contract support costs for the Bureau of Indian Affairs and the Indian Health Service beginning in fiscal year 2017 but this reclassification should be permanent and not just for 3-year periods. Also, such a change in funding should not be accomplished or be offset by reducing other funding for these agencies that would adversely affect services or programs. Nor should this funding be unnecessarily reduced by excessive set-asides for administration. The tribe also supports funding of the Special Diabetes Program at \$150 million as that funding is set to expire at the end of the current fiscal year.

## BUREAU OF INDIAN AFFAIRS

The tribe supports the \$277 million dollars for contract support costs proposed in the President's budget and the reclassification of these costs from discretionary to mandatory as well as the 12 percent increase in overall funding for the Bureau of Indian Affairs. The tribe also supports the Presidential budget request to include a Carcieri fix to address legal issues that have arisen related to the transfer of land into trust and created uncertainty over the status of lands. This uncertainty will only stifle and impede economic development in Indian Country. A legislative amendment to restore the sovereign status of these lands is needed now.

In relation to the Bureau of Indian Affairs Public Safety and Justice budget, the tribe advocates for at least the \$364.4 million dollars in funding proposed in the President's budget. The Nez Perce Reservation covers 1,200 square miles and covers five counties and has a mixture of tribal and non-tribal residents. The tribe provides a full service law and justice program, beginning with a fully trained and staffed police force, tribal court, prosecutor and related administrative functions. Currently, the Nez Perce Tribe contributes over \$1,497,626 per year to cover the shortfall in BIA funding for the tribe's law enforcement, \$408,821 for judicial services/probation, \$319,649 for prosecutorial services, \$87,072 for public defender services and \$400,000 for prisoner boarding. This funding comes from tribal taxes and tribal gaming revenues. The funding for these programs needs to be increased to account for the shortfalls in funding the tribe has to absorb to continue the operation of these vital services on the reservation.

In relation to education, the tribe requests \$42 million for Johnson O'Malley Funding, \$5 million for tribal education departments and \$89.1 million for tribal colleges that would support institutions such as the Northwest Indian College that operates a satellite campus on the Nez Perce Reservation. It should also be noted that scholarship funding provided by the BIA has remained static for the past decade while the cost of attending college has risen faster than can be accounted for by simple inflation. The tribe recently set up an educational endowment to supplement the BIA education funds but the BIA funds need to be increased.

The tribe also relies on the BIA for funding for its work related to endangered species and protection of the tribe's treaty resources including Chinook and steelhead salmon. The funding has also been used to supplement the research efforts of the tribe relative to other sensitive species. The BIA Endangered Species Program should be funded at \$3 million dollars as it provides tribes with the technical and financial assistance to protect endangered species on trust lands but funding of this program has declined significantly over the last 8 years. Also, the BIA Natural Resource Tribal Priority Allocations should be increased to \$10 million as this funding has remained flat for years at just under \$5 million. This expenditure will help increase tribal land and management capabilities.

In addition, the funding provided under the BIA Rights Protection implementation monies are critical to support the exercise of treaty reserved off-reservation hunting and fishing for tribes like the Nez Perce and it should be funded at \$52 million dollars. The BIA single-line dollars do provide the foundation for core program administration and treaty rights protection activities, such as harvest monitoring and conservation enforcement. And of course, these efforts are central to the tribe's fisheries management responsibilities as established in the treaties and further delineated in litigation regarding implementation of hunting and fishing treaty rights. It is important to understand that this funding is not for equipment but is used for job creation and this funding has stayed static.

The tribe also supports funding for the BIA Wildlife and Parks Tribal Priority Allocations of \$3.3 million dollars and \$6.5 million dollars as these funds allow for important work to be done on fish recovery through hatchery operation and maintenance. As stated earlier, the tribe has invested a large amount of its personnel and resources in the restoration and recovery of this important resource through its fisheries programs. The States of Oregon, Washington and Idaho directly benefit from this work as well through sports fisheries. These programs have been successful but more work needs to be done. The Tribal Management and Development Program also needs increased funding. The tribe recommends \$20 million for base and programmatic funding. This program is critical for fish and wildlife management of the tribe.

#### FISH AND WILDLIFE SERVICE, FOREST SERVICE AND CULTURAL PROTECTION

The tribe relies heavily on funding sources within the Fish and Wildlife Service and the Forest Service. First, the Tribal Wildlife Grants program administered by the U.S. Fish and Wildlife Service is a cost effective expenditure for the Government. This small pot of money has resulted in huge returns from the tribe's perspective. Since 2005, we have received five such grants that have allowed us to work on such diverse issues as gray wolf monitoring, bighorn sheep research, and rare plant conservation. Continued funding for the Tribal Wildlife Grant program will allow recipient tribes to build capacity and maintain involvement in key conservation issues. It should be noted that this competitive grant does not simply dole out funds for projects but awards grants based on the quality of the proposal. As mentioned above, the tribe has received five grants under this program totaling \$1 million based on the quality of our research work. Funding for these grants was reduced in previous fiscal years. The tribe strongly urges this subcommittee to in-



crease this funding to \$8 million as it provides a large return in work for a small investment. It is also one of the few sources of funds tribes can tap into for wildlife research.

Related to forest management, the tribe supports wildfire disaster funding legislation that treats wildfires like other natural disasters and emergencies to help prevent funds from having to be diverted from forest management. The tribe also supports increasing BIA Forestry funding (TPA and Forestry Projects) by \$25 million to an fiscal year 2016 total of \$76.9 million as a first step toward providing the \$100 million the BIA needs as minimum annual funding to achieve parity with other Federal forestry programs.

The Nez Perce Reservation and its usual and accustomed areas are rich in natural resources and encompass eleven different national forests. The tribe works closely with each forest administration to properly manage its resources on behalf of the tribe. These range from protecting and properly managing the products of the forest to managing the vast wildlife in each one such as elk, deer, bighorn sheep and wolves. Increased funding is necessary so that the Forest Service can meet these trust obligations and continue to work with tribes such as the Nez Perce on a government to government basis.

Finally, there should be \$15 million dollars allocated for the Tribal Historic Preservation Office Program and \$4 million dollars for repatriation to help ensure tribal remains and cultural properties are protected to the greatest extent possible.

#### ENVIRONMENTAL PROTECTION AGENCY

The Nez Perce Tribe currently implements, on behalf of the Environmental Protection Agency, the Federal Air Rules for Reservations program (FARR) and receives funding from the State and Tribal Assistance Grants Program and Tribal General Assistance Grants. The Tribe supports a budget of \$75 million for these grants because of the importance of these funds for tribal governance. The FARR program monitors air quality and regulates field burning throughout the Nez Perce Reservation. The tribe is located in Region 10 of the EPA and this increase in funding is needed for tribes to meet their air quality needs and operate programs under the delegation of the EPA.

In addition to the air quality program, the Nez Perce Tribe is working with other Idaho tribes on surveying fish consumption rates which is an important tool in efforts to protect the health of tribal members. Funding for this work is important. The tribe also relies heavily on contract support dollars for our water resource programs such as storage tank remediation and watershed restoration.

As you can see, the Nez Perce Tribe does a tremendous amount of work in a variety of areas. It is important that the United States continue to fund this work and uphold and honor its trust obligations to tribes. Thank you.

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#### PREPARED STATEMENT OF THE NORTH AMERICAN ASSOCIATION OF FOOD EQUIPMENT MANUFACTURERS

The North American Association of Food Equipment Manufacturers (NAFEM) is a trade association comprised of more than 525 foodservice equipment and supplies manufacturers. The association's members constantly seek opportunities to improve equipment, both in response to market demands and as an innovative means of product improvement.<sup>1</sup>

#### *EPA SNAP Rule: Negative Policy Consequences*

The Environmental Protection Agency released a proposed rule on August 6, 2014 under its Significant New Alternatives Policy Program (SNAP), under which various HFC's and HFC-containing blends that were previously listed as acceptable alternatives to ozone-depleting substances will have their status changed to "unacceptable" as refrigerants for commercial refrigeration and foam blowing agents used in commercial refrigeration applications. The EPA believes that a limited number of new substitutes pose a lower risk overall to human health and the environment.

The proposal and the assumptions made by EPA reveal a rulemaking process that fails to consider the technological and economic challenges of introducing these re-

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<sup>1</sup> NAFEM members helped develop and actively participate in ENERGY STAR in recognition of the role of voluntary, market-driven incentives for improving the efficiency of commercial foodservice equipment and supplies. NAFEM and its members support measures to limit the impact of ozone depleting substances and efforts to increase the energy efficiency of commercial foodservice equipment while continuing to provide the products, performance and reliability expected in the marketplace.

refrigerants into the North American market. The agency does not address the changes in manufacturing processes that will be required, the time period in which such changes can be made, the ability of current technology to utilize the proposed alternatives, and the safety issues raised by their application.

Furthermore, the proposed delisting of currently acceptable refrigerants of January 1, 2016 will threaten the energy efficiency and performance of refrigeration products, as well as compromise the health and safety of employees involved in the manufacturing, distribution, service and end-user markets of commercial refrigeration. These dangers also could extend to the public at large as flammable refrigerants are introduced for certain market applications. In all applications, EPA's proposal does not provide adequate time to research, design, test, train and certify these commercial refrigeration products reliant on new alternative refrigerants.

EPA's proposal also directly conflicts with recently promulgated energy efficiency standards established by the Department of Energy (DOE), which rely on some of the very refrigerants that EPA now proposes to ban. Manufacturers are finding that it is neither technologically nor economically feasible for them to develop products that meet both the energy conservation standards and also utilize acceptable alternatives to existing refrigerants and blowing agents.<sup>2</sup> In fact, the proposed alternative refrigerants are less energy efficient than the ones being banned. If less efficient refrigerants and insulation blowing agents are required by EPA, commercial refrigeration manufacturers face an impossible situation—manufacture more efficient products pursuant to DOE regulations using less efficient refrigerants pursuant to EPA regulations.

#### *EPA SNAP Rule: Flawed Rulemaking Making Policies*

EPA's SNAP proposal violates the principles set out in Executive Order 13563, Improving Regulation and Regulatory Review, Executive Order 13610, Identifying and Reducing Regulatory Burdens, and Executive Order 12866, Regulatory Planning and Review.<sup>3</sup>

The value and strength of established principles of rulemaking addressed in these executive orders are in their actual application in active rulemaking and their ability to influence final rules. We find, however, that they are often ignored and given only a pro forma acknowledgement, rather than revealing themselves as elements that contribute to the agency's dialogue with stakeholders, influence the development of regulatory proposals and yield actual outcomes by way of final rulemaking.

The SNAP rule as proposed is a prime example.<sup>4</sup> The current proposal limits commercial refrigeration equipment to four refrigerant options: Ammonia, CO<sub>2</sub>, Isobutene and Propane, notwithstanding the known toxicity, flammability, and costs of these alternatives and the greater energy efficiency potential of the HFCs in use today. Furthermore, EPA's proposed timeline fails to take into full consideration the time and investments needed to retrofit manufacturing plants and processes and market dislocation that will occur. When compared to the resulting global warming benefit that EPA itself calculates, we believe the proposal violates the very core principles of American policymaking.

As an example, meaningful input prior to publication of a proposed rule was lacking. For example, regarding the listing of substitutes for refrigeration, NAFEM member Hoshizaki America has questioned the test method used in assessing flammability and fire safety and also points out the need to test and evaluate the venting of flammable refrigerants.<sup>5</sup> NAFEM member Traulsen questioned EPA's assumption that a trained service network will exist for flammable refrigerants and believes EPA's reliance on fire extinguishers in settings where such equipment will be in use is inappropriate and unrealistic.<sup>6</sup> If taken up in dialogue with stakeholders prior to developing the proposal, such information gathering could result in more realistic and potentially more achievable proposals.

<sup>2</sup> See DOE dockets affecting automatic commercial ice makers (EERE-2010-BT-STD-0037), commercial refrigeration equipment (EERE-2010-BT-STD-003), and walk-in coolers and walk-in freezers (EERE-2008-BT-STD-0015).

<sup>3</sup> Executive Order 13563 of January 18, 2011, found at 76 F.R. 3821 (January 21, 2011), Executive Order 13610 of May 10, 2012, found at 77 F.R. 28469 (May 14, 2012, and Executive Order 12866 of September 30, 1993, found at 58 F.R. 51735 (October 4, 1993).

<sup>4</sup> See NAFEM comments recently filed with EPA in the matter of "Improving EPA Regulations" (EPA-HQ-OA-2011-0156).

<sup>5</sup> See Comment submitted by Stephen Schaefer, Administrator Engineering Group, Team Leader, Hoshizaki America, Inc. at <http://www.regulations.gov> under docket number EPA-HQ-OAR-2013-0748 and identification number RIN 2060-AS04.

<sup>6</sup> See Comment submitted by Mary Dane-Greenhow, Agency Approval Engineer, Traulsen—ITW Food Group, LLC at <http://www.regulations.gov> under docket number EPA-HQ-OAR-2013-0748 and identification number RIN 2060-AS04.

*No Coordination between Agencies; No Consideration of Cumulative Regulatory Burden*

Executive Order 13563 acknowledges that the regulated community is subject to rules from various agencies and establishes the principle that agencies should seek to harmonize their rules and otherwise coordinate with each other in their rule-making.<sup>7</sup> Executive Order 13610 further calls on agencies to simplify and harmonize regulations that impact small businesses. This order also emphasizes a hallmark of Executive Order 12866, calling on agencies to consider the cumulative effects of their regulations.<sup>8</sup>

NAFEM believes this coordination includes intentional dialogue and communication among agencies. We believe this principle covers not only a review of existing regulations that may have over time become redundant, inconsistent, or overlapping, but also covers pending proposals, implementation timelines of rules already promulgated, and elements of an agency's regulatory agenda.

EPA and DOE are simultaneously involved in imposing new requirements on manufacturers of certain types of refrigeration equipment that have significant cost, productivity and competitiveness consequences. Both agencies make assumptions about technology applications in the same equipment, independent of each other and towards different regulatory goals, despite the fact that manufacturers and their vendors have repeatedly told both agencies that the gains expected are not achievable.

EPA should coordinate its current and planned regulatory agenda with DOE where the availability of HFC refrigerants plays a significant role in the regulatory propositions and conclusions made in multiple DOE proceedings. When raised by NAFEM within the public comment period for proposed energy conservation standards for walk-in coolers and freezers, consider DOE's response in June 2014:

[NAFEM] requested that DOE incorporate the phase out of HFCs in its analysis. NAFEM stated that alternative refrigerants could add to overall engineering costs and reduce energy savings . . . The use of alternative refrigerants is not a direct result of this rule and is not included in this analysis. Furthermore, there is no regulatory requirement to use alternative refrigerants at this time. DOE does not include the impacts of pending legislation or regulatory proposals in its analysis, as any impact would be speculative. For this final rule, DOE does not include the impact of alternative refrigerants in its analysis.<sup>9</sup>

*In Conclusion*

The unrealistic timeline proposed by EPA for the application of alternative refrigerants in commercial refrigeration reveals a failed rulemaking process that ignores the negative impacts on the very public policy goals intended. The principle of coordination among agencies overseeing various regulatory regimes and rulemaking efforts, and its corollary principle of harmonizing regulations among the various agencies, cry out for an active dialogue of review, planning, and rollout of proposals, promulgation and implementation between EPA and DOE relative to allowable refrigerants and energy efficiency standards. Where a rulemaking agency fails to follow accepted principles of policymaking, Congress has an important role to play in its oversight and funding responsibilities.

[This statement was submitted by Charlie Souhrada, CFSP, *Director, Member Services*.]

<sup>7</sup> See Section 3, *Integration and Innovation*, Executive Order 13563 (January 18, 2011): Some sectors and industries face a significant number of regulatory requirements, some of which may be redundant, inconsistent, or overlapping. Greater coordination across agencies could reduce these requirements, thus reducing costs and simplifying and harmonizing rules. In developing regulatory actions and identifying appropriate approaches, each agency shall attempt to promote such coordination, simplification, and harmonization. Each agency shall also seek to identify, as appropriate, means to achieve regulatory goals that are designed to promote innovation.

<sup>8</sup> See Section 3, *Setting Priorities*, Executive Order 13610 (May 10, 2012): Consistent with Executive Order 13563 and Executive Order 12866 of September 30, 1993 (Regulatory Planning and Review), agencies shall give consideration to the cumulative effects of their own regulations, including cumulative burdens, and shall to the extent practicable and consistent with law give priority to reforms that would make significant progress in reducing those burdens while protecting public health, welfare, safety, and our environment.

<sup>9</sup> See 79 F.R. 32050 at 32092 (June 3, 2014).

## PREPARED STATEMENT OF THE NORTHWEST INDIAN FISHERIES COMMISSION

The Northwest Indian Fisheries Commission (NWIFC) is comprised of the 20 tribes that are party to the *United States v. Washington*<sup>1</sup> (*U.S. v. Washington*). To meet the many natural resources management responsibilities required of the tribes, I submit the following requests for the Bureau of Indian Affairs (BIA) and the Environmental Protection Agency (EPA).

## SUMMARY OF FISCAL YEAR 2016 APPROPRIATIONS REQUESTS

*Bureau of Indian Affairs*

- Provide \$17.146 million for Western Washington Fisheries Management.
- Provide \$3.082 million for Washington State Timber-Fish-Wildlife.
- Provide \$4.844 million for U.S./Canada Pacific Salmon Treaty.
- Provide \$2.4 million for Salmon Marking.
- Provide \$4.5 million for Climate Change.
- Provide \$6.582 million for Fish Hatchery Maintenance.
- Provide \$3.796 million for Fish Hatchery Operations.
- Provide \$272.0 million for Contract Support.
- Provide \$30.355 million for Tribal Climate Resilience.
- Provide \$830,000 for Watershed Restoration.

*Environmental Protection Agency*

- Provide \$96.4 million for General Assistance Program.
- Provide \$50.0 million for Puget Sound.
- Provide \$5.0 million for Beyond GAP.

We are generally pleased with the President's fiscal year 2016 budget request, which includes and builds on many of the subcommittee's actions from the past few years. It contains funding to support the tribal treaty right, including research and analysis for sustainable management of our natural resources and climate adaptation. The treaty-reserved rights are at grave risk today as the resources they are dependent on are disappearing and the reason the western Washington treaty tribes brought to the Federal Government our Treaty Rights at Risk Initiative. On behalf of our 20 member tribes, I am here today to speak specifically to our fiscal year 2016 natural resources management and environmental program funding requests for the BIA and the EPA.

## JUSTIFICATION OF REQUESTS

*Bureau of Indian Affairs**Rights Protection Implementation Subactivity*

The 41 tribes in the Great Lakes and Pacific Northwest with similar treaty-reserved rights have collectively identified that no less than \$52.0 million for Rights Protection Implementation (RPI) is necessary for essential tribal treaty rights management. The President's fiscal year 2016 budget includes \$40.138 million for RPI, an increase of \$4.718 million over the fiscal year 2015 enacted level of \$35.420 million. A summary of the accounts of interest to us within RPI are further identified below. However, a breakdown of these accounts in the BIA's Greenbook is not provided for fiscal year 2016.

*Provide \$17.146 million for BIA Western Washington Fisheries Management.*—We respectfully request \$17.146 million, an increase of \$8.614 million over the fiscal year 2015 enacted level of \$8.532 million. Funding for this program allows for continued treaty harvest management, population assessment, habitat protection and data gathering for finfish, shellfish, groundfish, wildlife and other natural resource management needs. Funds provide the necessary capacity for the treaty tribes to co-manage the resources with the State of Washington and to continue to meet court mandates and legal responsibilities.

*Provide \$3.082 million for BIA Washington State Timber-Fish-Wildlife.*—We respectfully request \$3.082 million, an increase of \$346,000 over the fiscal year 2015 enacted level of \$2.736 million. Funding for this program is provided to improve forest practices on State and private lands while providing protection for fish, wildlife and water quality. This will provide the necessary funding for tribal TFW programs to fully participate in the TFW process.

*Provide \$4.844 million for BIA U.S./Canada Pacific Salmon Treaty.*—We respectfully request \$4.844 million, an increase of \$564,000 over the fiscal year 2015 en-

<sup>1</sup>*United States v. Washington*, Boldt Decision (1974) reaffirmed Western Washington Tribes' treaty fishing rights.

acted level of \$4.28 million. The Pacific Salmon Treaty (PST) Act of 1985 charges the United States Section of the Pacific Salmon Commission (PSC) with the responsibility for implementation of the PST, a bilateral treaty with Canada. Tribes assist in meeting the Federal Government's obligations in implementing the treaty by participating in cooperative research and data gathering activities. This will provide sufficient funding to ensure that the tribes can continue to participate effectively in the bilateral PST process.

*Provide \$2.4 million for BIA Salmon Marking.*—We respectfully request \$2.4 million, an increase of \$1.328 million over the fiscal year 2015 enacted level of \$1.072 million. Funding for this program was mandated in 2003 by Congress that required all salmon released from federally funded hatcheries be marked so they could be identified for conservation purposes. This allows tribes to mark salmon at tribal hatcheries and to use these marked fish to scientifically monitor salmon populations and watersheds in western Washington.

*Provide \$4.5 million for BIA Climate Change.*—We respectfully request \$4.5 million for Climate Change for our member tribes, an increase of \$3.109 million over our fiscal year 2015 allocation. The fiscal year 2015 appropriations provided a total of \$3.224 million, of which our member tribes received \$1.391 million. Funding for this program will provide tribes the capacity to identify, respond and adapt to the impacts of our changing climate. There is a glaring need to assess the potential impacts to resources in the face of climate change, which brings different challenges for every tribal community. It is important that tribes be provided the maximum flexibility to develop specific science-based activities to meet their particular needs.

#### *Fish, Wildlife and Parks Projects*

*Provide \$6.582 million for BIA Fish Hatchery Maintenance.*—We respectfully request \$6.582 million, an increase of \$82,000 over the fiscal year 2015 enacted level of \$6.5 million. Tribal fish hatcheries in western Washington are part of the largest fish hatchery system in the world. Funding for this program is provided to tribes nationwide based on the ranking of annual maintenance project proposals. Hatcheries also play a large role in recovering pacific salmon, many of which are listed under the Endangered Species Act. A comprehensive needs assessment study was conducted in fiscal year 2006 by the BIA at the request of Congress which identified a need of over \$48.0 million in necessary hatchery maintenance and rehabilitation costs.

*Provide \$3.796 million for BIA Fish Hatchery Operations.*—We respectfully request \$3.796 million, an increase of \$1.939 million over the fiscal year 2015 enacted level of \$1.857 million. This increase reflects the needs of the western Washington treaty tribes. Funding for this program is provided to tribal hatcheries to support the rearing and releasing of salmon and steelhead for harvest by Indian and non-Indian fisheries in the U.S. and Canada. Hatcheries are a necessary part of fisheries management because of the lack of wild salmon production due to habitat degradation. They continue to play a vital role in supporting tribal fisheries and are now essential for maintaining the treaty right to harvest fish. Without hatcheries tribes would lose their most basic ceremonial and subsistence fisheries that are central to our tribal culture.

#### *Other Subactivities and Accounts*

*Provide \$272.0 million for BIA Contract Support.*—We support the President's request of \$272.0 million, an increase of \$26.0 million over the fiscal year 2015 enacted level of \$246.0 million. We also support the President's legislative proposal to reclassify CSC as mandatory funding beginning in fiscal year 2017. Funding for this function is provided to tribal organizations to ensure they have the capacity to manage Federal programs under self-determination contracts and self-governance compacts. These funds are critical as they directly support our governmental functions, which allow us to fully exercise our right to self-govern.

*Provide \$30.355 million for BIA Tribal Climate Resilience.*—We support the President's request of \$30.355 million, an increase of \$20.407 million over the fiscal year 2015 enacted level of \$9.948 million. Funding for this program will contribute to the tribal capacity needed to participate and provide input on climate change issues. It will assist tribes in being able to provide their perspective on climate change adaptation in the form of traditional ecological knowledge necessary to protect their treaty rights.

*Provide \$830,000 for BIA Watershed Restoration.*—We respectfully request \$830,000, an increase of \$455,000 over the fiscal year 2015 operating plan. The fiscal year 2015 operating plan provided a total of \$375,000 to western Washington treaty tribes. Funding is contained in the Forestry Subactivity—Forestry Projects—Watershed Restoration account and supports our Salmon and Steelhead Habitat In-

ventory and Assessment Program. This provides environmental data management, analysis, and reporting support and maintains on-going efforts to develop information sharing and exchange tools. It also supports our tribes' ability to adequately participate in watershed resource assessments and salmon recovery work.

*Environmental Protection Agency*

*Provide \$96.4 million for EPA General Assistance Program.*—We support the President's request of \$96.4 million, an increase of \$30.924 million over the fiscal year 2015 enacted level of \$65.476 million. This funding has built essential tribal capacities and remains critical to the tribes' ability to sustain their important environmental protection programs. Funding for this program continues to provide the base capacity for tribal environmental protection programs nationwide.

*Provide \$50.0 million for EPA Puget Sound.*—We respectfully request \$50.0 million, an increase of \$20.0 million over the President's request of \$30.0 million. The fiscal year 2015 appropriations provided a total of \$28.4 million. The Puget Sound Geographic Program provides essential funding that will help protect, restore and enhance Puget Sound, an estuary of national significance. Funding for this program will allow the tribes to participate in the necessary scientific work, implementation measures, and policy discussions on issues that affect our treaty rights. It allows the tribes to participate in implementing the Puget Sound Action Agenda.

*Provide \$5.0 million for EPA Beyond GAP.*—We respectfully request \$5.0 million. The President's fiscal year 2016 budget did not include any proposed funding for this new initiative. We request an annual increase to the EPA CWA 104 budget for a water pollution implementation program. Increasing the tribal allocation will allow for an immediate expansion and response to specific implementation needs. This will provide targeted funds to our member tribes for implementation of Federal environmental programs and to initiate our "Beyond GAP" request. This initiative would move the EPA/tribal partnership from capacity building and limited programmatic support to a more comprehensive and consistent funding to achieve fully functional tribal environmental programs capable of implementing a broad range of necessary environmental activities.

CONCLUSION

We respectfully urge you to continue to support our efforts to protect and restore our great natural heritage that in turn will provide for thriving communities and economies. Thank you.

[This statement was submitted by Lorraine Loomis, *Chairwoman*.]

PREPARED STATEMENT OF THE NORTON SOUND HEALTH CORPORATION

The requests of the Norton Sound Health Corporation (NSHC) for the fiscal year 2016 Indian Health Service (IHS) budget are as follows:

- Direct the IHS to fully fund the Village Built Clinic (VBC) leases in accordance with section 804 of the Indian Health Care Improvement Act and allocate an additional \$12.5 million to VBC leases.
- Shield the IHS from sequestration in fiscal year 2016 and beyond.
- Place contract support costs on a mandatory funding basis.
- Funding for built-in costs.
- Place IHS funding on an advance appropriations basis.
- Construction of clinics at Gambell and Savoonga on St. Lawrence Island, at a cost of \$8.6 million, and clarify to IHS that Village Built Clinics are eligible for IHS construction funds.

The Norton Sound Health Corporation is the only regional health system serving Northwestern Alaska. It is on the edge of the Bering Sea, just miles from the Russian border. We are not connected by road with any part of the State and are 500 air miles from Anchorage—about the distance from Washington, DC to Portland, Maine. Our service area encompasses 44,000 square miles, approximately the size of Indiana. We are proud that our system includes a tribally owned regional hospital which is operated pursuant to an Indian Self-Determination and Education Assistance Act (ISDEAA) agreement, and 15 village-based clinics.<sup>1</sup> The logistics and costs associated with travel and transportation are a daily challenge, to say the least.

<sup>1</sup>We serve the communities of: Brevig Mission, Council, Diomed, Elim, Gambell, Golovin, King Island, Koyuk, Mary's Igloo, Nome, St. Michael, Savoonga, Shaktolik, Shishmaref, Solomon, Stebbins, Teller, Unalakleet, Wales, and White Mountain.

*End Chronic Underfunding Of Village Built Clinics.*—The NSHC healthcare system includes 15 Village Built Clinics (VBCs). The VBCs are essential for maintaining the IHS Community Health Aide Program (CHAP) in Alaska, which provides the only local source of healthcare for many Alaska Native people in rural areas. The CHAP program is mandated by Congress as the instrument for providing basic health services in remote Alaska Native villages. The CHAP program cannot operate without the use of clinic facilities. This is a huge issue. Senator Murkowski noted in her hearing on the fiscal year 2016 IHS budget that when she is in rural Alaska she hears as much or more about this issue than any other.

The IHS has for many years consistently under-funded the leases of VBCs even though the IHS has had available appropriations to fully fund the leases. Lease rental amounts for the VBCs have failed to keep pace with costs—the majority of the leases for VBCs have not increased since 1989. The IHS has instead shifted its statutory responsibilities onto the villages and NSHC, which does not have adequate financial resources to maintain and upgrade the VBCs for CHAP staff. As a result, many of the VBCs are unsafe or have had to be closed, leaving some villages in Alaska without a local healthcare facility.

NSHC and many other tribal organizations in Alaska have discussed this issue with the IHS on several occasions, and have proposed solutions that the IHS continues to ignore. IHS continues to assert that it provides for VBC leases all of the funds that Congress has appropriated for the program. In our view, the amounts historically traceable to the VBC leases are not capped by statute and are not the only funds available for that program. The Indian Health Facilities appropriation is a lump-sum appropriation that can be used for construction, repair, maintenance, improvements and equipment, and includes a sub-activity for maintenance and improvement of IHS facilities. The VBCs are IHS facilities acquired by lease in lieu of construction and should thus be eligible for maintenance and improvement funding. The IHS can also access other IHS discretionary funds to fully fund its VBC obligations.

For fiscal year 2016, we urge that an additional \$12.5 million be appropriated to more fully fund VBC leases. We also ask that IHS in its budget recommendations: (1) identify the amount needed to fully fund VBCs; (2) request that amount in a separate line in the IHS budget; and (3) allocate that amount to the VBC lease program.

*Protect the IHS from Sequestration.*—As you are well aware, the IHS was subject to a fiscal year 2013 sequestration of roughly 5 percent of the IHS's overall budget even though other health programs—notably the Veterans Administration, State Medicaid grants and most of Medicare—were exempted. We are heartened by comments made in Interior Appropriations hearings this year and last that the sequestration of IHS funds should not have taken place and a number of members—including our delegation—are committed to protecting the IHS from future sequestration. We are grateful that Congress took action to avert a sequestration in fiscal years 2014 and 2015, but, of course, we are faced with the prospects of it in fiscal year 2016 and beyond.

We thus strongly urge the Congress to fully exempt the IHS from any future sequestration, just as the VA and other health programs are exempt.

*Contract Support Costs Mandatory Funding.*—We support the administration's proposal to fund Contract Support Costs (CSC) on a mandatory basis, although we urge, along with many other tribes and tribal organizations, that Congress enable it to become effective with fiscal year 2016. The administration's proposal differs from our and others in Indian Country proposal that CSC be funded indefinitely and not capped, but we gratefully acknowledge this proposal as a huge step for the administration. We are hopeful that the \$718 million proposed for CSC funds for IHS will be sufficient for full funding for fiscal year 2016—a lot of work has gone into the estimated calculation and that should bode well for future estimates as well.

We so appreciate your support for full funding of CSC and your blunt statement accompanying the Fiscal Year 2014 Appropriations Act that the legal obligation to fully fund CSC had put the House and Senate Committees in the "untenable position of appropriating discretionary funds for the payment of any legally obligated contract support costs."

We ask for your active help in working with the Budget Committee on this proposal for mandatory CSC funding. You have had a great deal of experience in talking with Indian and Alaska Native leaders about the frustrations and the inequity of tribes and tribal organizations who contract to assume administration of Federal programs not being paid for the costs to administer them. We know that member-to-member communications are of the utmost importance and you have much to offer others in Congress who will weigh in on this issue.

*Funding for Built-in Costs.*—We appreciate the administration's fiscal year 2016 request of \$147.3 million for built-in costs consisting of \$71.2 million for medical inflation at a 3.8 percent rate; \$19.4 million for a 1.3 percent pay raise; and \$56.7 million to partially fund population growth (\$70.3 million needed for full funding according to IHS) and urge Congress to fund this request.

Built-in costs are often sacrificed in the budget negotiation process, but lack of them impacts all programs. Inflation—medical and non-medical; required pay raises, and population growth are real facts of life and affect our ability to provide sufficient healthcare services.

While for fiscal year 2015 the administration requested \$63 million for medical inflation and \$2.6 million to partially fund pay raises, the final bill provided only \$2.6 million for pay raises (estimated cost is \$20 million) but no other built-in costs. For fiscal year 2014 the only IHS built-in costs provided was \$35 million for medical inflation for the Purchased/Referred Care program. In fiscal years 2011–2013, appropriations for built-in costs were minimal.

*IHS Advance Appropriations.*—As with our testimony last year, we ask that the IHS budget be transitioned to an advance appropriations basis. We know you are sympathetic to our frustrations caused by the funding of IHS and other Federal agencies via a series of start and stop Continuing Resolutions. We are appreciative of Representative Don Young's introduction of H.R. 395 to authorize IHS advance appropriations and for our entire Alaska delegation in the 113th Congress for introducing the same legislation.

The current (fiscal year 2015) fiscal year funding was enacted 2½ months after the beginning of the fiscal year; in fiscal years 2013 and 2014 it was 6 months and 3½ months, respectively, after the beginning of the fiscal year. Following enactment, there is a couple month process of clearance through the agency and the OMB and then allotment to the Area Offices and finally to the tribes. Both the tribal and IHS programs suffer under this situation. We want to do the best job possible in planning, decisionmaking and administering programs but are limited by not knowing how much funding will be available or when it will be available. It also requires constant re-working of our budget, resources better devoted to providing healthcare services.

Congress has provided the authority for the Veterans Administration (VA) medical accounts to receive funding on an advance basis and the Budget and Appropriations Committees have provided the necessary support for that authority. We are struck by the justification in the proposed fiscal year 2016 budget (fiscal year 2017 advance appropriations) for the VA and we ask for parity:

For 2017, the budget requests \$63.3 billion in advance appropriations for the three medical care appropriations: Medical Services, Medical Support and Compliance, and Medical Facilities. This request for advance appropriations fulfills the administration's commitment to provide reliable and timely resources to support the delivery of accessible and high-quality medical services for veterans. This funding enables timely and predictable funding for VA's medical care to prevent our Nation's veterans from being adversely affected by budget delays, and provides opportunities to more effectively use resources in a constrained fiscal environment. (Appendix, Budget of the U.S. Government, p. 1058).

*Clinic Construction.*—The NSHC has completed the final designs for replacement of the Village Built Clinics at Gambell and Savoonga on St. Lawrence Island. We are requesting \$8.6 million in IHS construction funds for this purpose. The IHS does not have a definitive response to the question of VBC eligibility for construction funds and we ask that Congress clarify that they are eligible for these funds. There is no prohibition on it, and the VBCs are serving IHS beneficiaries the same as though those clinics in rural areas in the lower 48.

We would like you to know what we have done thus far on this project. Working with Bettisworth North Architects (BNA) and the communities, we modified a prototype village clinic design BNA developed for the Maniilaq Association several years ago which was successfully constructed throughout the NANA region. The clinics are 5,200 square feet with the floor plan having been slightly modified from the prototypical starting point in order to provide specific health programs delivered by NSHC in Gambell and Savoonga. The adaptation of the existing Maniilaq prototype design was cost effective with respect to design fees—totaling \$400,000. The Denali Commission is supportive of our effort and contributed \$120,479 under Project Authorization 1174–J.

The NSHC Board is investing in the development of this project and plans to make it “shovel ready” this summer, having approved \$1.4 million from its 2015 Capitol Budget to complete site and foundation work



Thank you for the consideration of the concerns and requests of the Norton Sound Health Corporation.

[This statement was submitted by Angie Gorn, *President and CEO.*]

#### PREPARED STATEMENT OF THE OREGON WATER RESOURCES CONGRESS

The Oregon Water Resources Congress (OWRC) is concerned about continued reductions to the U.S. Environmental Protection Agency's (EPA) Clean Water State Revolving Fund Loan Program (CWSRF) and is requesting that appropriations for this program be increased to at least \$2 billion in fiscal year 2016. The CWSRF is an effective loan program that addresses critical water infrastructure needs while benefitting the environment, local communities, and the economy. However, OWRC is also concerned about efforts by EPA to increase regulatory authority and we urge the subcommittee to direct funding towards the CWSRF program and not towards implementing the controversial "Waters of the U.S." rule drafted by EPA and the Army Corps of Engineers (ACOE). EPA's actions to increase its regulatory authority over water resources planning are counterproductive to collaborative planning and detract from the positive solutions achieved through the CWSRF program.

OWRC was established in 1912 as a trade association to support the protection of water rights and promote the wise stewardship of water resources statewide. OWRC members are local governmental entities, which include irrigation districts, water control districts, drainage districts, water improvement districts, and other agricultural water suppliers that deliver water to roughly  $\frac{1}{3}$  of all irrigated land in Oregon. These water stewards operate complex water management systems, including water supply reservoirs, canals, pipelines, and hydropower production.

#### FISCAL YEAR 2016 APPROPRIATIONS

We recognize that our country is facing difficult economic times and that we must make strategic investments with scarce resources. The CWSRF is a perfect example of the type of program that should have funding increased because it creates jobs while benefitting the environment, and is an efficient return on taxpayer investment. Oregon is facing record levels of unemployment and the CWSRF funded projects provide much needed construction and professional services jobs. Moreover, as a loan program, it is a wise investment that allows local communities to leverage their limited resources and address critical infrastructure needs that would otherwise be unmet.

Nationally, there are large and growing critical water infrastructure needs. In EPA's most recent needs surveys, *The Clean Watersheds Needs Survey 2008: Report to Congress and Drinking Water Infrastructure Needs Survey and Assessment: Fourth Report to Congress*, the estimated funding need for drinking water infrastructure totaled \$335 billion (in 2007 dollars) and wastewater infrastructure needs totaled \$298 billion (in 2008 dollars). Appropriations for water infrastructure, specifically CWSRF, should not be declining but remaining strong in order to meet these critical needs. In 2014 appropriations for the CWSRF program was approximately \$2.021 billion and declined to \$1.448 billion in fiscal year 2015. The President's fiscal year 2016 budget proposes only \$1.116 billion for the CWSRF program; a \$332 million reduction from fiscal year 2015 levels. We are concerned as we see this negative downward trend continuing while the infrastructure needs only become more critical.

OWRC is supportive of the President's Climate Action Plan and related efforts to support actions that help address, mitigate, and adapt to severe weather events, like drought, that are related to climate change. It is important that climate issues are addressed through programs like the CWSRF, and to date, despite a direct connection to water infrastructure the CWSRF funding continues to diminish. In fact, there has not been an increase in funding for CWSRF since 2009; meanwhile, both infrastructure needs and the costs to address those needs continue to grow each year. Continued funding reductions has led to delaying repairs or upgrades which in turn increase the potential for catastrophic failure and is counterproductive to the administration's desire to encourage asset management and sustainable water infrastructure. To the extent practicable, funding for climate change should be incorporated into existing programs with proven successes like the CWSRF.

We also continue to be highly supportive of the administration's desire to expand "green infrastructure," in fact, irrigation districts and other water suppliers in Oregon are on the forefront of "green infrastructure" through innovative piping projects that provide multiple environmental benefits, which is discussed in greater detail below. However, continually reducing the amount of funds available for these

types of worthwhile projects is counterproductive to the administration's desire and has created increased uncertainty for potential borrowers about whether adequate funding will be available in future years. CWSRF is often an integral part of an overall package of State, Federal and local funding that necessitates a stronger level of assurance that loan funds will be available for planned water infrastructure projects. Reductions in the CWSRF could lead to loss of grant funding and delay or derail beneficial projects that irrigation districts have been developing for years.

Additionally, OWRC is pleased to see that EPA will continue "strategic partnerships" with the USDA's Natural Resources Conservation Services (NRCS) and other Federal agencies to improve water quality and address nonpoint source pollution. Oregon had two priority watersheds eligible for funding through the National Water Quality Initiative in 2014 and anticipates that additional watersheds will be included in the future. As Oregon is a delegated State, OWRC also feels strongly that the Oregon Department of Environmental Quality (DEQ) is best situated to develop and implement activities to improve these and other impaired waterways in the State. DEQ and its administration of the CWSRF has been an extremely valuable tool in Oregon for improving water quality and efficiently addressing infrastructure challenges that are otherwise cost-prohibitive.

#### CWSRF LOCAL SUCCESS AND NEEDS

Six OWRC member districts have successfully received loans from the CWSRF over the last several years and many more will apply if funds are available. Numerous irrigation districts and other water suppliers need to pipe currently open canals, thereby improving water quality by eliminating run-off into the canals and increasing water availability for fish and irrigators by reducing water loss from the delivery system. Four irrigation districts received over \$11 million funding in Oregon from the 2009 American Recovery and Reinvestment Act (ARRA) funding through the CWSRF for projects which created valuable jobs while improving water quality. These four projects were essential to DEQ not only meeting but exceeding the minimum requirement that 20 percent of the total ARRA funding for the CWSRF be used for "green" projects. Those districts' applications had been on DEQ's list of eligible projects for many years and would probably still be on that list had the ARRA funding not been made available. We provide that comment not to complain, but to emphasize the need for additional funding for this program.

What is being proposed for fiscal year 2016 is far short of what is needed to address critical water infrastructure needs in Oregon and across the Nation. This will lead to fewer water infrastructure projects, and therefore a reduction in improvements to water quality. The DEQ's most recent "Proposed Intended Use Plan Update #1—State fiscal year 2015," lists 14 projects in need of a total of \$144,926,822 in Oregon alone. The Federal capitalization grant funding awarded fiscal year 2014 will total \$15,839,000, which is wholly inadequate to address and complete these much needed projects.

Unfortunately, due to recent cutbacks and lack of availability of funds, only one water improvement district submitted an application for funding in 2015, Rock Creek District Improvement Company. Rock Creek requested \$270,786 for the design and construction of HDPE piping along 1.76 miles of main canal, and qualifies for water efficiency green project reserve funding. OWRC is hopeful that with an increase in money available, more districts will apply for funding to complete projects that will not only benefit the environment and the patrons served by the water delivery system, but also benefit the economy.

#### THE IMPORTANCE AND SUCCESS OF LOCAL WATERSHED PLANNING

Oregon's success in watershed planning illustrates that planning efforts work best when diverse interests develop and implement plans at the local watershed level with support from State government. Oregon has recently revised their CWSRF rules; thus making conservation easier and its benefits to be better achieved in the State. That is why OWRC is very concerned about EPA's recent efforts to increase regulatory authority under the Clean Water Act without appropriate public process or legislative oversight. The proposed "Waters of the U.S." rule would greatly broaden EPA authority and illustrates an apparent desire to dictate watershed planning methods for the Nation using a top-down regulatory approach from a desk in Washington DC. This regulatory overreach will lead to uncertainty for landowners and water users, increased litigation and destroy collaborative efforts (including CWSRF projects) already underway in Oregon and across the Nation. OWRC would like to reiterate our request made in formal comment that the ACOE Regulatory Guidance Letter (RGL 07-02 from July 4th, 2007) be codified in the final rule which would

provide our members with better clarity about how and when the rule would be used in relation to district facilities.

As the national model for watershed planning, Oregon does not need a new Federal agency or executive branch office to oversee conservation and restoration efforts. Planning activities are conducted through local watershed councils, volunteer-driven organizations that work with local, State and Federal agencies, economic and environmental interests, agricultural, industrial and municipal water users, local landowners, tribes, and other members of the community. There are over 60 individual watershed councils in Oregon that are already deeply engaged in watershed planning and restoration activities. Watershed planning in Oregon formally began in 1995 with the development of the Oregon Plan for Salmon Recovery and Watershed Enhancement, a statewide strategy developed in response to the Federal listing of several fish species. This strategy led to the creation of the Oregon Watershed Enhancement Board (OWEB), a State agency and policy oversight board that funds and promotes voluntary and collaborative efforts that “help create and maintain healthy watersheds and natural habitats that support thriving communities and strong economies” in 1999.

#### CONCLUSION

In conclusion, we applaud the CWSRF program for allowing Oregon’s DEQ to make targeted loans that address Clean Water Act issues and improve water quality but also help incentivize innovative water management solutions that benefit local communities, agricultural economies, and the environment. This voluntary approach creates and promotes cooperation and collaborative solutions to complex water resources challenges. Conversely, regulatory overreach destroys cooperation, creates mistrust and has a very negative effect on jobs and local economies. We respectfully request the appropriation of at least \$2 billion for the U.S. Environmental Protection Agency’s Clean Water State Revolving Loan Fund for fiscal year 2016.

[This statement was submitted by April Snell, *Executive Director*.]

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#### PREPARED STATEMENT OF PARTNERS FOR CONSERVATION

Chairman Murkowski, Ranking Member Udall and members of the Appropriations Subcommittee: On behalf of myself and Partners for Conservation (PFC), thank you for the opportunity to provide comments on the fiscal year 2016 Interior appropriations bill. I am a rancher and consulting wildlife biologist from eastern Washington. PFC is a landowner-led non-profit organization for which I serve as a board member. As ranchers and farmers working cooperatively with the U.S. Fish and Wildlife Service, we respectfully request that the subcommittee support the following funding allocations for fiscal year 2016:

- Funding of \$75 million for the Partners for Fish and Wildlife Program;
- Funding of \$50 million for the North American Wetlands Conservation Fund;
- Funding of \$18.6 million for the Habitat Joint Ventures within the North American Waterfowl Management Plan Program;
- Full funding of \$900 million authorized for the Land and Water Conservation Fund; and
- Funding of \$70 million for the State and Tribal Wildlife Grants Program.

As a board member of PFC, I want to share with you some background on the organization. We operate under the following principles: Collaboration gets work done; Local lessons have national impact; Voluntary and incentive-based programs create trust and foster success; and Sustainability is achieved by balancing ecological and economic needs.

PFC is growing with the goal of landowner representation in all 50 States. We currently have board member representation in States extending from Montana and South Dakota to New Mexico and from California to Florida. In 2013, under a partnership agreement with the National Wildlife Refuge Association, PFC hired an executive director to coordinate our efforts. We are also working hard to develop effective working relationships with Federal and State agencies, non-government conservation organizations and like-minded landowners nationwide. As an example, PFC annually hosts a Private Lands Partners Day event, this year set for late September in North Platte, Nebraska.

As noted previously, I live and work in eastern Washington. My wife and I own and operate a ranch near Spokane, Washington where we raise cattle and sheep. Our goal is to sustain the livestock operation and enhance wildlife habitat on our property. In 2004, we voluntarily enrolled a portion of our ranch in a permanent

conservation easement under the U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS), Wetlands Reserve Program (WRP).

PARTNERS FOR FISH AND WILDLIFE PROGRAM (\$75 MILLION)

So what motivates me to be involved with PFC and why am I writing in support of the Partners for Fish and Wildlife and other Federal programs named above? The simple answer is public and private partners need to work cooperatively to focus our energy and available funding on cost-effective programs to sustain agriculture while conserving our natural resources on private lands. This concept also recognizes the need to balance conservation programs with economics at the local community level. It is my firm belief that there is a "sweet spot" in which we can focus our collective efforts and leverage financial resources to sustain working agricultural lands while conserving our valuable natural resources. These objectives naturally fit together and PFC is all about getting it done through voluntary landowner support and working collaboratively with partners, including Federal Government agencies. In my area of eastern Washington, over 75 percent of the land is privately owned, so the Federal agencies cannot do the job of conserving fish and wildlife without willing landowner support. I think this model for voluntary, cooperative conservation on working agricultural lands is the best example of how the U.S. Fish and Wildlife Service can leverage the funding you and your colleagues in Congress provide on behalf of your constituents.

I want to share my story with you. Our ranch lies in what is known as the Channeled Scablands Wetland Focus Area. We are on the east side of the Columbia Basin, an area of continental significance for migratory birds and other wildlife. The ranch is adjacent to the 18,000 acre National Wildlife Refuge. Partners for Fish and Wildlife Program staff assigned to the refuge helped me complete a wetlands restoration project by providing technical assistance and native plants to enhance the wildlife habitat values within our wetlands and adjacent upland habitats. We were successful in integrating and leveraging the basic WRP conservation easement through USDA-NRCS with engineering by Ducks Unlimited, habitat restoration expertise by the Partners for Fish and Wildlife Program and technical assistance by the Washington Department of Fish and Wildlife. It is that level of cooperative conservation which, I think, makes the Partners for Fish and Wildlife Program work extremely well for landowners. Success was the result of voluntary partnerships.

Partners for Fish and Wildlife Program biologists have also helped several of my neighboring ranchers with wetlands restoration projects by cutting through the red tape involved in permitting processes, finding additional funding sources, including NRCS Farm Bill Programs, and developing restoration and management plans designed to achieve both ranching and natural resource conservation goals. In the last 25 years, the Partners for Fish and Wildlife Program has helped more than 45,000 landowners restore and enhance over 1 million acres of wetlands, 3 million acres of uplands and 11,000 miles of streams nationwide. It has leveraged each dollar of appropriated funds to generate over \$8 in total project spending and over \$15 in overall economic returns. The Program is supported by landowners as highly cost-effective.

NORTH AMERICAN WETLANDS CONSERVATION ACT (\$50 MILLION); AND HABITAT JOINT VENTURES (\$18.6 MILLION)

So why link the PFC and my request as a rancher increased funding of the Partners for Fish and Wildlife Program to a request for additional funding for the North American Wetlands Conservation Act (NAWCA) and Habitat Joint Ventures (JVs)? Simply stated, because they can be used as integrated tools to achieve voluntary conservation program goals on private lands in an efficient and cost-effective manner.

I support funding for NAWCA at \$50 million to help increase wetland restoration on private lands as an important tool in priority areas, including the Columbia Basin of eastern Washington. Wetlands are one of the most important habitats for fish and wildlife, but their abundance and quality has been greatly reduced by a number of factors. The highly competitive cost-share grant program provided under NAWCA is extremely valuable to government agencies, tribes, non-government conservation organizations and private landowners nationwide. It is just one of the tools the Partners for Fish and Wildlife Program biologists use to leverage resources to accomplish landscape level cooperative conservation on private lands.

With respect to the Habitat Joint Ventures (JVs), I support full funding of \$18.6 million. Although the base funding for the JVs is provided through the U.S. Fish and Wildlife Service's budget, these public-private partnerships are extremely effective in leveraging funding and staff resources specifically to conserve priority habi-

tats for birds and other wildlife. I have experience working with the Intermountain West Joint Venture (IWJV) with a footprint of nearly 500 million acres in all or parts of 11 Western States. In general, the JVs are self-directed and guided by management boards made up of diverse interests including representatives of government agencies, non-government conservation organizations, industries and private landowners. The JVs are extremely effective in collaborating with government agencies and, in my experience, very efficient in delivering habitat conservation programs on private lands in cooperation with the Partners for Fish and Wildlife Program. Together, the IWJV and Partners for Fish and Wildlife Program staff focus their efforts on Strategic Habitat Conservation, which means they focus their time and energy in priority fish and wildlife habitats, including those on private lands. I serve as the IWJV Washington Conservation Partners Coordinator and have seen first-hand how the "Joint Venture Model" can leverage funding for habitat conservation at a ratio of 5:1 or greater. Coupled with the Partners Program, JVs are very beneficial to ranchers and farmers not only in Washington, but throughout the Country.

LAND AND WATER CONSERVATION FUND (\$900 MILLION); AND STATE AND TRIBAL  
WILDLIFE GRANTS (\$70 MILLION)

On behalf of PFC and myself, I respectfully request full funding of \$900 million for the Land and Water Conservation Fund (LWCF). It can be used to match and leverage other conservation funding, and it is very valuable to cooperative conservation partners nationwide in conserving priority fish and wildlife habitats on a large landscape scale. Conservation easements take advantage of willing partners entering into mutually beneficial agreements to sustain natural resources and maintain existing agricultural land uses. A number of PFC Board members have first-hand experience from California to Florida and South Dakota to Kansas with extremely effective use of LWCF as a critical source of funding for voluntary large-scale conservation easement programs on private lands. With much of the most productive fish and wildlife habitat on private lands, flexible tools are needed to sustain these valuable resources while avoiding the need for the Federal Government to acquire fee title to land. By keeping these lands in private ownership, productive and contributing to local property tax bases, we can also support local economies and sustain both working agricultural operations and fish and wildlife populations in priority areas.

Finally, I respectfully request funding of \$70 million for the State and Tribal Wildlife Grants Program. Along with the LWCF, the State and Tribal Wildlife Grants Program provides cost-shared grants to implement the State Wildlife Action Plans designed to keep common species common and help avoid the need to list species under the Endangered Species Act. This proactive approach combined with voluntary and incentive based conservation programs leverage Federal, State and private landowner funds to conserve fish and wildlife on working ranches nationwide.

I thank you for the opportunity to provide this testimony.. We recognize the challenges you and your colleagues face in your decisions regarding the fiscal year 2016 budget. We also realize the value of sharing with you on-the-ground experiences using the proven and cost-effective programs in the Fish and Wildlife Service which work best for landowners willing to help conserve our natural resources while sustaining working agricultural lands nationwide.

Board members of PFC welcome you to visit any of our ranches to see first-hand how voluntary and incentives based conservation programs can work to benefit ranchers and farmers as well local economies nationwide. In light of the significant fiscal challenges you and your colleagues in Congress face, we need to set priorities and support programs which return the greatest benefits to the American people. We need your leadership and support by investing in community based landscape conservation through partnerships with private landowners. Government agencies cannot do it alone, and PFC stands ready to help.

Chairman Murkowski and subcommittee members, thank you for your consideration of this request.

[This statement was submitted by Terry Mansfield, *Landowner and Board Member of Partners for Conservation.*]

## PREPARED STATEMENT OF THE PARTNERSHIP FOR THE NATIONAL TRAILS SYSTEM

Madam Chairwoman and members of the subcommittee:

The Partnership for the National Trails System appreciates your support over the past 20 years, through operations funding and dedicated Challenge Cost Share funds, for the national scenic and historic trails administered by the National Park Service. We also appreciate your increased allocation of funds to support the trails administered and managed by the Forest Service and for the trails in the Bureau of Land Management's National Landscape Conservation System. To continue the progress that you have fostered, the Partnership requests that you provide annual operations funding for each of the 30 national scenic and historic trails for fiscal year 2016 through these appropriations:

- National Park Service*: \$16.073 million for administration of 23 trails and for coordination of the long-distance trails program by the Washington office. Construction: \$673,000 for the Ice Age Trail and \$200,000 for the Pacific Crest Trail.
- USDA Forest Service*: \$7.996 million to administer 6 trails and \$1.3 million to manage parts of 16 trails administered by the NPS or BLM. \$700,000 for Iditarod Trail construction.
- Bureau of Land Management*: \$1.83 million to administer three trails and for coordination of the National Trails program and \$7.14 million to manage portions of 13 trails administered by the Park Service or the Forest Service and for operating five National Historic Trail interpretive centers. Construction: \$300,000 for the Pacific Crest Trail, \$300,000 for the Iditarod Trail, and \$50,000 for the Nez Perce Trail.
- We ask that you appropriate \$4.5 million for the National Park Service Challenge Cost Share Program and continue to direct one-third (\$1,500,000) for national scenic and historic trails or create a separate \$1.5 million National Trails System Challenge Cost Share Program.
- We ask that you add \$500,000 to the Bureau of Land Management's Challenge Cost Share Program and allocate it for the national scenic and historic trails it administers or manages.

We ask that you appropriate \$66,038,500 from the Land and Water Conservation Fund for the acquisition of 48 tracts along six national scenic and eight national historic trails described in the National Trails System Collaborative Landscape Planning proposal and allocate this funding to the:

- Bureau of Land Management*: \$13,916,500 million.
- U.S. Fish and Wildlife Service*: \$12,060,000 million.
- U.S. Forest Service*: \$8,382,000 million
- National Park Service*: \$31,680,000 million.

## NATIONAL PARK SERVICE

The \$16.073 million we request for Park Service operations includes increases for some of the trails to continue the progress and new initiatives made possible by the additional funding Congress provided several years ago. Increases of \$172,000 for the Park Service to implement the New England Trail's Trail Management Blueprint and \$369,000 for the Washington-Rochambeau Trail are included.

We request an increase of \$660,000 to expand Park Service efforts to protect cultural landscapes at more than 200 sites along the Santa Fe Trail, to develop GIS mapping, and to fund public educational outreach programs of the Santa Fe Trail Association. An increase of \$780,000 for the Trail of Tears will enable the Park Service to work with the Trail of Tears Association to develop a GIS to map the Trail's historical and cultural heritage sites to protect them and to develop interpretation of them for visitors. We request an increase of \$346,000 to \$879,000 for the Ala Kahakai Trail to enable the Park Service to work with E Mau Na Ala Hele, the Ala Kahakai Trail Association, and other community organizations to care for resources on the land and with the University of Hawaii to conduct archaeological and cultural landscape studies along this trail.

We request an increase of \$193,000 to \$1,708,000 for the Appalachian Trail to expand the highly successful "Trail to Every Classroom" program of the Appalachian Trail Conservancy. The \$1,020,000 we request for the 4,200 mile North Country Trail will enable the Park Service to provide greater support for the regional GIS mapping, trail building, trail management, and training of volunteers led by the North Country Trail Association. The \$1,389,000 we request for the Ice Age Trail includes a \$554,000 increase to build partner and citizen capacity for protecting the natural and cultural resources on the Trail and Ice Age Trail lands and to provide NPS with a property manager for NPS-owned lands.

*Construction:* We request that you appropriate \$673,000 for the Ice Age Trail and \$200,000 for the Pacific Crest Trail for trail construction projects.

Challenge Cost Share programs are one of the most effective and efficient ways for Federal agencies to accomplish a wide array of projects for public benefit while also sustaining partnerships involving countless private citizens in doing public service work. We request that you robustly fund the Park Service, Bureau of Land Management, and Fish and Wildlife Service Challenge Cost Share programs and appropriate \$4.5 million in Challenge Cost Share funding to the Park Service for fiscal year 2016 as a wise investment of public money that will generate public benefits many times greater than its sum. We ask you to continue to direct one-third of the \$4.5 million for the national scenic and historic trails to continue the steady progress toward making these trails fully available for public enjoyment. We suggest, as an alternative to this approach, that you create a separate National Trails System Challenge Cost Share program with \$1.5 million funding.

#### USDA—FOREST SERVICE

We ask you to appropriate \$7.996 million as a separate budgetary item specifically for the Arizona, Continental Divide, Florida, Pacific Crest, and Pacific Northwest National Scenic Trails and the Nez Perce National Historic Trail within the over-all appropriation for Capital Improvements and Maintenance for Trails. Recognizing the on-the-ground management responsibility the Forest Service has for 1024 miles of the Appalachian Trail, more than 650 miles of the North Country Trail, and sections of the Ice Age, Anza, Caminos Real de Tierra Adentro and de Tejas, Lewis and Clark, California, Iditarod, Mormon Pioneer, Old Spanish, Oregon, Overmountain Victory, Pony Express, Trail of Tears and Santa Fe Trails, we ask you to appropriate \$1.3 million specifically for these trails.

The Partnership's request of \$7.996 million includes \$1.5 million to enable the Forest Service and Florida Trail Association to continue trail maintenance, to control invasive species, do ecosystem restoration, and otherwise manage 4,625 acres of new Florida Trail land. The \$7.996 million request also includes \$2.1 million for the Pacific Crest Trail, \$2 million for the Continental Divide Trail, \$1 million for the Pacific Northwest Trail, \$826,000 for the Nez Perce Trail, and \$570,000 for the Arizona Trail. Some of the additional funds requested will enable the Forest Service to develop Comprehensive Management Plans for the latter three trails. We also request \$700,000 of additional funding for construction and \$100,000 for maintenance of sections of the Iditarod Trail.

#### BUREAU OF LAND MANAGEMENT

Although considerably more money is needed to fully administer the National Conservation Lands System and protect its resources, we request that you appropriate \$69.809 million in base funding for the System. We ask that you appropriate as new permanent base funding \$250,000 for National Trails System Program Coordination, \$1,000,000 for the Iditarod Trail, \$230,000 for El Camino Real de Tierra Adentro Trail, \$350,000 for the Old Spanish Trail, and \$4,000,000 for the Bureau of Land Management to manage 4,645 miles of thirteen other national scenic and historic trails. To maintain these trails we request: Pacific Crest Trail—\$300,000, Iditarod Trail—\$300,000, Nez Perce Trail—\$50,000. We also request \$3,140,000 to operate five historic trails interpretive centers.

We ask you to provide \$5 million for the Bureau's Challenge Cost Share program and to direct \$500,000 for National Trails System projects as you have done with the Park Service's CCS program.

To promote greater management transparency and accountability for the National Trails and the whole National Landscape Conservation System, we urge you to request expenditure and accomplishment reports for each of the NLCS Units for fiscal year 2015 and to direct the Bureau to include unit-level allocations within major sub-activities for each of the scenic and historic trails, and wild and scenic rivers—as the Bureau has done for the national monuments, wilderness, and conservation areas—within a new activity account for the National Landscape Conservation System in fiscal year 2016. The Bureau's lack of a unified budget account for National Trails prevents the agency from efficiently planning, implementing, reporting, and taking advantage of cost-saving and leveraging partnerships and volunteer contributions for every activity related to these national resources.

#### LAND AND WATER CONSERVATION FUND

The Partnership strongly supports the President's budget proposal to fully fund the Land and Water Conservation Fund at the authorized \$900 million, with \$400 million from discretionary sources and \$500 million in mandatory funds for the com-

ponent programs funded under LWCF. Within this amount we request that you appropriate \$66,038,500 for the National Trails System Collaborative Landscape Planning proposal to acquire 48 parcels along 14 national scenic and historic trails detailed here:

Bureau of Land Management  
\$13,916,500 million  
17 parcels  
16,779 acres

*Continental Divide National Scenic Trail (New Mexico)*: \$2,300,000 to close the largest critical trail gap in New Mexico.

*Lewis and Clark National Historic Trail (Montana)*: \$6,000,000 for trail, landscape, habitat and recreation protection along the Upper Missouri National Wild and Scenic River.

*Nez Perce National Historic Trail (Idaho)*: \$3,100,000 for trail and resource conservation at one of the last remaining working ranches at Henry's Lake.

*Oregon National Historic Trail (Idaho)*: \$144,000 to acquire land for trail development along historic trail route.

*Pacific Crest National Scenic Trail (Oregon, California)*: \$1,872,500 for trail and resource protection within the Cascade Siskiyou National Monument in Southern Oregon and in the Mojave Desert in Southern California.

U.S. Fish and Wildlife Service  
\$12,060,000 million  
3 parcels  
3,763 acres

*Appalachian National Scenic Trail (Pennsylvania)*: \$4,000,000 to connect conservation habitats along the Kittatinny Ridge.

*California National Historic Trail (Idaho)*: \$2,500,000 to protect the largest breeding concentration of Sandhill Cranes, as well as, a haven for other waterfowl from a current farming threat.

*Captain John Smith Chesapeake National Historic Trail (Virginia)*: \$5,560,000 to protect the Bower's Parcel that includes migratory wildlife habitat, priority wetlands, forest and uplands and a historical site.

U.S. Forest Service  
\$8,382,000 million  
8 parcels  
3,024 acres

*Appalachian National Scenic Trail (North Carolina)*: \$1,100,000 to complete the acquisition of the Grassy Ridge ecosystem.

*Continental Divide National Scenic Trail (Montana)*: \$255,000 to achieve uninterrupted trail corridor enabling wildlife migration and human recreation.

*Pacific Crest National Scenic Trail (California, Washington)*: \$7,027,000 to provide critical scenic protection to the hiker experience, improve trail location and protect wildlife habitats, including Donner Summit in California.

National Park Service  
\$31,680,000 million  
20 parcels  
7,565 acres

*Ala Kahakai National Historic Trail (Hawaii)*: \$4,750,000 to protect endangered species, preserve 26 cultural sites and ensure undisturbed view sheds, soundscapes, and wilderness for users of the trail in an area with prehistoric lava flows.

*Appalachian National Scenic Trail (New York, Massachusetts)*: \$2,940,000 to extinguish the threat of imminent development, ensure connectivity of forested habitats and improve route away from threatened species.

*Captain John Smith Chesapeake National Historic Trail (Virginia)*: \$6,000,000 to permanently protect and open for public education a nationally significant American Indian site, and to continue public archaeological research.

*Continental Divide National Scenic Trail (Colorado, New Mexico)*: \$5,608,000 to remove motorized use of the trail and restore habitat, to acquire the last unprotected portion of the trail in New Mexico and to protect significant cultural sites.

*Ice Age National Scenic Trail (Wisconsin)*: \$3,930,000 to provide urban access to the trail in the city of St. Croix, protect critical view sheds, provide interpretative opportunities of unique geological-cultural features and close gaps in the trail.



*New England National Scenic Trail (Connecticut, Massachusetts):* \$1,875,000 to protect ecosystem, historic and cultural resources, in addition to, enhancing users recreational experience.

*Nez Perce National Historic Trail (Oregon):* \$355,000 to provide a better interpretative site and visitor proximity to Clearwater Battlefield.

*North Country National Scenic Trail (Michigan, Pennsylvania):* \$2,892,000 to connect Moraine and McConnell's Mill State Parks in Pennsylvania and protect riparian habitats in Southern Michigan.

*Overmountain Victory National Historic Trail (Tennessee):* \$330,000 to protect the historically significant Shelving Rock Encampment site.

*Washington Rochambeau Revolutionary Route National Historic Trail (New York):* \$3,000,000 to protect the Revolutionary War's single largest cemetery from destruction.

#### PRIVATE SECTOR SUPPORT FOR THE NATIONAL TRAILS SYSTEM

Public-spirited partnerships between private citizens and public agencies have been a hallmark of the National Trails System since its inception. These partnerships create the enduring strength of the Trails System and the trail communities that sustain it by combining the local, grass-roots energy and responsiveness of volunteers with the responsible continuity of public agencies. They also provide private financial support for public projects, often resulting in a greater than equal match of funds.

The private trail organizations' commitment to the success of these trail-sustaining partnerships grows even as Congress' support for the trails has grown. In 2014 the trail organizations fostered 1,053,896 hours of documented volunteer labor valued at \$23,765,355 to help sustain the national scenic and historic trails. The organizations also raised private sector contributions of \$11,228,029 for the trails.

[This statement was submitted by Gary Werner, *Executive Director*.]

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#### PREPARED STATEMENT OF THE PUYALLUP TRIBE OF INDIANS

Madam Chairwoman and members of the subcommittee, thank you for the opportunity to provide testimony on the fiscal year 2016 appropriations for American Indian and Alaskan Native programs. My name is David Z. Bean, Tribal Council Member for the Puyallup Tribe of Indians. The Puyallup Tribe is an independent sovereign nation having historically negotiated with several foreign nations including the United States in the Medicine Creek Treaty of 1854. This relationship is rooted in Article I, Section 8, of the United States Constitution, Federal laws and numerous Executive orders. The governing body of the Puyallup Tribe of Indians is the Puyallup Tribal Council which upholds the tribe's sovereign responsibility of self-determination and self-governance for the benefit of the 4,875 Puyallup tribal members and the 25,000 plus members from approximately 355 federally recognized tribes who utilize our services. The Puyallup Reservation is located in the urbanized Seattle-Tacoma area of the State of Washington. The 18,061 acre reservation is a "checkerboard" of tribal lands, Indian-owned fee land and non-Indian owned fee land. Our reservation land includes parts of six different municipalities (Tacoma, Fife, Milton, Puyallup, Edgewood and Federal Way).

The following written testimony documents the Puyallup Tribe's views concerning the President's fiscal year 2016 Federal budget. My written testimony will focus on the proposed budget for the Bureau of Indian Affairs (BIA) and the Indian Health Service (IHS). Within the BIA budget, \$2.7 billion is proposed for fiscal year 2016, an increase of \$231.4 million above the fiscal year 2015 levels. For the IHS, \$5.1 billion is proposed, an increase of \$460.6 million over the fiscal year 2015 enacted level. Included in both budgets the President proposes to fully fund Contract Support Costs (CSC) in fiscal year 2016. The budget provides \$277 million for BIA CSC and \$718 million for IHS CSCs. We appreciate the increased funding being proposed for the BIA and IHS, and funding CSCs at 100 percent. However, the years of inadequate funding and the effects of inflation have impacted the tribe's ability to fully exercise self-determination and self-governance. As negotiations proceed on the fiscal year 2016 budget and future appropriations, efforts to insure adequate funding is provided for Indian programs will be paramount. To preserve the increased funding levels realized in recent years and contained in the proposed fiscal year 2016 budget for the BIA and IHS, the increases should be viewed by Congress and the administration as new "base funding" amounts with annual increases to meet actual need. Specific issues and needs are:

## DEPARTMENT OF THE INTERIOR—BUREAU OF INDIAN AFFAIRS

*Public Safety and Justice:* The fiscal year 2016 budget request includes \$364.4 million for BIA Public Safety and Justice. This represents a \$11.5 million increase over the fiscal year 2015 enacted level which is fully supported by the Puyallup Tribe. The \$93.3 million for tribal and BIA detention and corrections funding is of great importance to the Puyallup Tribe. While this increase is supported by the Puyallup Tribe, it is of concern that there is no requested increase for the operation of tribal detention facilities that came online last year and that were not fully funded by fiscal year 2015 appropriations. In fiscal year 2009, the Puyallup Tribe received a Department of Justice ARRA grant, in the amount of \$7.9 million to construct a 28 bed adult corrections facility. Construction on the facility was completed in February 2014 and came online in May 2014. Over the past 3 years the Puyallup Tribe has worked closely with the BIA Office of Justice Services National and Regional staff on identifying the operating and staffing costs associated with the Puyallup Tribe's new adult corrections facility. The Puyallup Tribe submitted a Public Law 93–638 contract request to the BIA for Operations and Maintenance funding for the new facility, including Pre-Award, Start-up, Transitional funding, Staffing and O&M funding. The agreed upon estimated cost of operating the facility was set at \$2.6 million annually. The BIA base funding offered to the tribe in fiscal year 2015 was \$704,198 or 27 percent of actual need. Due to current budget realities, we support the President's proposed fiscal year 2016 funding of \$95.3 million, for Detention and Corrections. However, we are requesting support from the subcommittee to fund the tribe's Adult Corrections facility at the established true cost of operations, estimated at \$2.6 million annually. Further, the Puyallup Tribe requests the subcommittee's support to increase funding for BIA Detention/Corrections by \$32.2 million to reflect actual funding need.

In addition, we operate a Tribal Court program through a Public Law 93–638 contract with the BIA. In fiscal year 2015, our base funding was increased from \$45,000 to \$194,996 and remains at this amount for fiscal year 2016. While this increase to our Tribal Court Base funding is appreciated, it does not equal the amount of tribal funds necessary to fully operate the Tribal Court program. In fiscal year 2015, the tribe has allocated \$1.172 million of tribal funds for the Tribal Court budget. Since its enactment in 1993, the Indian Tribal Justice Act has remained unfunded. Originally authorized to provide \$50 million for base funding increases to assist with expanding judicial systems, tribes are left with no option than to utilize tribal revenues to fully implement legislative acts, such as the Tribal Law and Order Act and the Violence Against Women Act. We are requesting support from the subcommittee to fund the Indian Tribal Justice Act at \$82 million.

*Natural Resources Management:* The Puyallup Tribe, as stewards for land and marine waters in the Usual and Accustomed fish, shellfish, and wildlife areas, has treaty and governmental obligations and responsibilities to manage natural resources for uses beneficial to the tribal membership and the regional communities. Despite our diligent program efforts, the fisheries resource is degrading and economic losses are incurred by Native and non-native fishermen and surrounding communities. Our resource management responsibilities cover thousands of square miles in the Puget Sound region of the State of Washington with an obligation to manage production of anadromous and non-anadromous fish, shellfish and wildlife resources. Existing levels of support are inadequate to reverse the trend of resource/habitat degradation. For fiscal year 2016, a minimum funding level of \$8.562 million is necessary for BIA Western Washington (Bolt Decision) Fisheries Management program, and we agree with the Northwest Indian Fisheries Commission (NWIFC) that increased funding is needed. The increase in funding would provide new monies for shellfish, groundfish, enforcement, habitat, wildlife and other natural resource management needs. As the aboriginal owners and guardians of our lands and waters, it is essential that adequate funding is provided to allow tribes to carry-out our inherent stewardship duties.

The Puyallup Tribe continues to operate a number of salmon hatcheries that benefit Indian and non-Indian commercial and sport fisheries in the Pacific Northwest/Puget Sound. We work cooperatively with the Northwest Indian Fisheries Commission, neighboring tribes, Federal agencies, and State fishery managers to insure the success and sustainability of our hatchery programs. The Puyallup Tribe will continue to advocate and secure increased funding for Fish Hatchery Operations and Maintenance funding. We are in agreement with the NWIFC recommendation that additional funding is necessary for the Fish Hatchery Operations and Maintenance programs, and request the subcommittee's support to fund fiscal year 2016 Fish Hatcheries Operations and Fish Hatchery Maintenance at \$3.35 million and \$6.582 million, respectively.

The Timber, Fish and Wildlife (TFW) Supplemental and U.S./Canada Pacific Salmon Treaty programs have allowed for the expansion of tribal participation in the State forest practice rules and regulations and participation in inter-tribal organizations to address specific treaties and legal cases which relate to multi-national fishing rights, harvest allocations and resource management practices. We request subcommittee support for the funding recommendations of the NWIFC for the fiscal year 2016 TFW Supplemental program and the U.S./Canada Pacific Salmon Treaty program.

The Puyallup Wildlife Management program has been the lead agency in management activities to benefit the South Rainier elk herd since 2004. The South Rainier elk herd is the primary stock of elk harvested by the Puyallup Tribe. The tribe has not only established more reliable methods for population monitoring, but has also been proactive in initiating habitat enhancement projects, research and land acquisition to ensure sustainable populations of elk for future generations. Funds that are available to the tribe have been on a very competitive basis with a limited amount per program via USFWS Tribal Wildlife grants and the BIA Unresolved Hunting and Fishing Rights grant program. We request subcommittee support to provide base funding to the Tribe's Wildlife Management Program in the amount of \$150,000 through the BIA Unresolved Hunting and Fishing Rights program in fiscal year 2016.

*Education:* The Puyallup Tribe operates the pre-K to 12 Chief Leschi Schools which included a verified 2014–2015 school student enrollment of 910 + students, including ECEAP and FACE programs. With an increasing number of pre-kindergarten enrollment, Chief Leschi Schools will soon exceed design capacity. Additional education facility space will be necessary to provide quality educational services to the students and tribal community. In addition, the cost of operation and maintenance of the Chief Leschi Schools' facilities continues to increase in the areas of supplies, energy and student transportation costs. The fiscal year 2016 budget request for the Bureau of Indian Education (BIE) is \$904 million, an increase of \$93.9 million over the fiscal year 2015 enacted level. While this increase is appreciated, once again the funding level does not meet the actual operational needs of tribal education programs. The tribe will continue to work with Congress, BIE and the National Congress of American Indians to increase funding in fiscal year 2016, including; Tribal Grant Support Cost for Tribally Operated Schools—\$73 million; Student Transportation—\$73 million; School Facilities Accounts—\$109 million in facilities operations and \$76 million in facilities maintenance; and Indian School Equalization Formula (ISEF)—\$431 million.

*Operations of Indian Programs and Tribal Priority Allocations:* The BIA Operations of Indian Programs budget is in drastic need for increased funding. Within the Operations of Indian Programs is the Tribal Priority Allocations (TPA). The TPA budget functions include the majority of funding used to support on-going services at the "local tribal" level, including; natural resources management, child welfare, other education, housing and other tribal government services. These functions have not received adequate and consistent funding to allow tribes the resources to fully exercise self-determination and self-governance. Further, the small increases "TPA" has received over the past few years have not been adequate to keep pace with inflation. The Puyallup Tribe is requesting support from the subcommittee to fund the Operation of Indian Programs at the fiscal year 2016 request of \$2.7 billion, an increase of \$231.4 million over the fiscal year 2015 enacted level, and TPA at \$982.6 million for fiscal year 2016, an increase of \$56.2 million over the fiscal year 2015 level. We further request support from the Subcommittee to increase funding for Indian Child Welfare (TPA) by \$45 million; Increase Urban Indian Child Welfare programs by \$15 million; and increase BIA Child Welfare Assistance by \$55 million.

#### DEPARTMENT OF HEALTH AND HUMAN SERVICES—INDIAN HEALTH SERVICE

The inadequate funding of the Indian Health Service is the most substantial impediment to the current Indian Health system. The Puyallup Tribe has been operating healthcare programs since 1976 through the Indian Self-determination Act, Public Law 93–638. The Puyallup Tribal Health Authority (PTHA) operates a comprehensive ambulatory care program to the Native American population in Pierce County, Washington. The current patient load exceeds 9,000, of which approximately 1,700 are tribal members. There are no IHS hospitals in the Portland Area, so all specialties and hospital care have been paid for out of our contract care allocation. The Purchased/Referred Care (PRC) allocation to PTHA remains inadequate to meet the actual need. In fiscal year 2004, the Puyallup Tribe subsidized PRC with a \$2.8 million dollar contribution. In fiscal year 2015, the tribal subsidy has grown to \$6.2 million. Given that the PTHA service population is only comprised of 17 per-

cent Puyallup tribal members, tribal budget priorities in fiscal years 2011–2015 have made continued subsidies to the PTHA financially difficult for the Puyallup Tribe. The fiscal year 2016 budget requests \$5.1 billion in discretionary budget authority for the IHS. This represents a \$460.6 million increase over the fiscal year 2015 enacted level. For Health Services programs, the fiscal year 2016 budget requests funding for Clinical Services (\$4.4 billion), Purchased/Referred Care (\$984.4 million), Medicaid/Medicare (\$1 billion) and Contract Support (\$718 million). The Puyallup Tribe fully supports funding increases for existing IHS programs and will work Congress to continue efforts to increase funding for IHS and the critical programs administered by this Agency.

Thank you for affording the Puyallup Tribe the opportunity to testify.

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#### PREPARED STATEMENT OF THE PVC PIPE ASSOCIATION

The Uni-Bell PVC Pipe Association is a not-for-profit organization representing 95 percent of the manufacturing capacity of the North American PVC pipe industry. Our pipe producing members operate over 90 facilities in the U.S. and our associate members (suppliers) hundreds more. PVC pipe extrusion facilities are found in 32 States across the United States: California has the most plants (9), followed by Texas (6), Arizona (5) and Pennsylvania (5).

The PVC pipe industry serves a vast and complex market including 54,000 drinking water systems, 10,000 wastewater facilities and 15,000 sewer and wastewater contracting firms. PVC water and sewer pipe producers contribute in excess of \$14 billion annually to the U.S. economy and support over 25,000 jobs.

The Environmental Protection Agency (EPA) manages taxpayer dollars under the State Revolving Fund's (SRF's) for water and wastewater projects in every State. It is important for all States and municipalities receiving Federal money to use open and free bidding processes and to consider all approved piping materials so that the most cost effective, longest lasting and best performing piping is used.

According to the U.S. Conference of Mayors, underground pipes represent 60 percent (\$2.28 trillion) of the \$3.8 trillion needed in investments for water and wastewater infrastructure over the next 20 years. As a result, it is here that open procurement policies and practices should be focused.

Since the 1970s the U.S. Department of Agriculture's (USDA) Rural Development Program has required that the funding it provides rural municipalities for water and sewer projects be spent in an open and competitive manner. It is time for the EPA to have similar requirements.

Richard Anderson, Ph.D., Senior Advisor to U.S. Conference of Mayors Water Council, who is also a proponent of procurement reform for underground infrastructure, reports that water and sewer pipelines are deteriorating faster than the rate at which they can be replaced because of corrosion, which is the leading cause of the water main break epidemic in North America (estimated at some 300,000 breaks annually). According to a 2002 congressional study, corrosion is also a drag on the economy, costing U.S. drinking water and wastewater systems over \$50.7 billion annually. As a result, any comprehensive and truly sustainable underground infrastructure strategy must address corrosion.

Today's corrosion crisis is due to the materials used in America's piping networks over the last 100 years. At first, cast iron was used, with ductile iron gradually replacing it as the material of choice. Both now suffer from corrosion. In fact, studies have shown that newer iron pipes do not last as long as older versions because of their thinner walls.

The burden of old technology materials is not limited to the cost of repairing and replacing failed pipelines. It includes the cost of losing treated water from leaking systems. Leaking pipes made from old technology materials lose an estimated 2.6 trillion gallons of drinking water annually, or 17 percent of all treated water pumped in the United States.

The solution to these problems begins with sustainability, durability and corrosion resistance, and this is why more utilities must actively consider all approved piping materials like PVC in their bidding processes. Increased durability means fewer leaks, better water conservation and lower costs. As a result, any comprehensive action plan for water and wastewater infrastructure renewal must also include reform of municipal procurement practices that limit competition, shackle innovation and increase costs.

We believe that to get the most efficient and sustainable use of Federal money for water and wastewater projects, free and open competition must be the operating standard. Federal grants provided to municipalities should have open competition stipulations similar to those required by the USDA Rural Development Program for

water and sewer projects. In this way Federal dollars obtain maximum value for taxpayers. When products are excluded from bidding, taxpayers suffer as does the efficiency of our infrastructure.

With over 2 million miles in service, PVC pipe has been celebrated by Engineering News Record as one of the top 20 engineering advancements of the last 125 years. A study by the American Water Works Research Foundation recently quantified the life expectancy of PVC pipe at more than 110 years—making it excellent for long-term asset management and sustainability. Furthermore, PVC pipe is more efficient to manufacture, taking four times less energy to make than concrete pressure pipe, and half that used for iron pipe.

As well, PVC pipe is cost effective, has watertight joints and its lightweight reduces transportation and installation costs, yielding additional greenhouse gas reductions. It is also totally recyclable, though most of it has yet to enter the recycling stream given its great durability.

Numerous organizations have published studies on the need to update procurement practices to more cost effectively finance our underground infrastructure. Below are links to some of these reports:

- Procurement Process Improvements Yield Cost-Effective Public Benefits
- Reforming Our Nation's Approach to the Infrastructure Crisis: How Competition, Oversight, and Innovation Can Lower Water and Sewer Rates in the U.S.
- Lowering Costs in Water Infrastructure through Procurement Reform: A Strategy for State Governments
- Fixing America's Crumbling Underground Water Infrastructure: Competitive Bidding Offers a Way Out

Also please find links to water main break rate and pipe longevity studies by Utah State University's Buried Structures Laboratory, which determined that PVC has the lowest break rate of all water piping materials and the longest lifespan:

- Water Main Break Rates in the USA and Canada: A Comprehensive Study
- PVC Pipe Longevity Report: A Comprehensive Study on PVC Pipe Excavations, Testing, and Life Cycle Analysis

The PVC pipe industry thanks you for letting us submit a statement for this important hearing and we will be pleased to answer any questions you may have.

[This statement was submitted by Bruce Hollands, *Executive Director*.]

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PREPARED STATEMENT OF EMILY RENZEL OF THE BAYLANDS CONSERVATION  
COMMITTEE, PALO ALTO, CALIFORNIA

Our refuge system is vital to wildlife throughout the United States—especially as urban development continues to crowd wildlife out of their habitat in many areas. Recent extreme weather events make the need for refuges even more important. Please support the refuge system's full budget appropriation in a bill that is rider-free.

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PREPARED STATEMENT OF THE RESOURCE DEVELOPMENT COUNCIL

Dear Chairmen Rogers and Cochran and Ranking Member Lowey and Vice Chairwoman Mikulski:

I am writing on behalf of the Resource Development Council for Alaska (RDC), to encourage appropriation language to limit the adverse impacts of the administration's National Ocean Policy (Executive Order 13547) on the Alaskan and U.S. economy.

RDC is an Alaskan non-profit, membership-funded organization founded in 1975. The RDC membership is comprised of individuals and companies from Alaska's oil and gas, mining, timber, tourism, and fisheries industries, as well as Alaska Native corporations, local communities, organized labor, and industry support firms. RDC's purpose is to link these diverse interests together to encourage a strong, diversified private sector in Alaska and expand the State's economic base through the responsible development of our natural resources.

Alaskans, with 34,000 miles of coastline, 3,000 rivers, and over 3 million lakes, have a significant stake in National Ocean Policy, and will be impacted more than other States by the Policy. Coastal and rural Alaskan communities may become financially devastated by National Ocean Policy implementation.

With efforts soon to commence to draft legislation funding the Federal Government for fiscal year 2016, I write to urge the inclusion of language in all appropriations bills to help ensure that continued implementation of the July 2010 National

Ocean Policy Executive Order does not create any additional uncertainty or result in new regulatory hurdles.

The National Ocean Policy directs dozens of Federal entities to participate in “Coastal and Marine Spatial Planning” (CMSP) across the United States. CMSP is described as a process “to better determine how the ocean, coasts, and Great Lakes are sustainably used and protected,” and the Interior Department has likened CMSP to a “national zoning plan” that “will serve as an overlay” in Federal decisions.

Concerns are further heightened given that the geographic coverage of CMSP includes inland bays and estuaries, and upland areas as new “Regional Planning Bodies” established to create these plans deem appropriate, and since Federal entities will “address priority . . . ocean management issues associated with marine planning as described in the Executive Order” even in regions like Alaska that choose not to participate.

In addition to CMSP, the National Ocean Policy requires the Federal Government to implement “Ecosystem-Based Management” (EBM), which is described as a “fundamental shift” in how the U.S. manages ocean, coastal, and Great Lakes resources. Among other things, the National Ocean Policy requires dozens of Federal entities to “[i]ncorporate EBM into Federal agency environmental planning and review processes” by 2016.

Language adopted by the Executive order states that “effective” National Ocean Policy implementation would “require clear and easily understood requirements and regulations, where appropriate, that include enforcement as a critical component,” and acknowledges that the policy “may create a level of uncertainty and anxiety among those who rely on these resources and may generate questions about how they align with existing processes, authorities, and budget challenges.”

In order to ensure that further implementation of the most concerning aspects of an initiative that has not been authorized by Congress does not create additional regulatory uncertainty, result in new regulatory hurdles, or siphon away scarce Federal dollars from critical and authorized activities, I respectfully request that all appropriations bills include language stating that “None of the funds made available by this Act may be used to further implementation of the coastal and marine spatial planning and ecosystem-based management components of the National Ocean Policy developed under Executive Order 13547.”

RDC’s broad and diverse membership is aligned in its concern over the negative consequences of unchecked implementation of Executive Order 13547. Alaska and our Federal partners have successfully managed the diverse and important uses of marine waters without the need of the additional layer of planning and regulatory oversight envisioned in this Executive order. Diverse activities including: logistics and shipping; well managed renewable fisheries which are the envy of the world; off shore oil and gas development and mining; and remarkable tourism and sport fishing opportunities all contribute greatly to the economy of Alaska and our Nation.

Including this language will importantly provide Congress with an opportunity to more closely examine the National Ocean Policy and the full range of its potential impacts before it is fully implemented. In closing, I appreciate your attention to this important matter and respectfully request inclusion of the proposed language in all fiscal year 2016 appropriations bills.

[This statement was submitted by Rick Rogers, *Executive Director*.]

#### PREPARED STATEMENT OF RESTORE AMERICA’S ESTUARIES

Restore America’s Estuaries is a nonpartisan, nonprofit organization that has been working since 1995 to restore our Nation’s greatest estuaries. Our mission is to restore and protect estuaries as essential resources for our Nation. Restore America’s Estuaries is an alliance of community-based coastal conservation organizations across the Nation that protect and restore coastal and estuarine habitat. Our member organizations include: American Littoral Society, Chesapeake Bay Foundation, Coalition to Restore Coastal Louisiana, Save the Sound—a program of the Connecticut Fund for the Environment, Conservation Law Foundation, Galveston Bay Foundation, North Carolina Coastal Federation, EarthCorps, Save The Bay—San Francisco, Save the Bay—Narragansett Bay, and Tampa Bay Watch. Collectively, we have over 250,000 members nationwide.

As you craft your fiscal year 2016 Interior, Environment and Related Agencies appropriations bill, Restore America’s Estuaries and our members encourage you to provide the funding levels below within the Department of Interior, U.S. Fish and Wildlife Service (USFWS) and the U.S. Environmental Protection Agency (USEPA) for core programs which greatly support coastal community economies:

- \$15 million for *USFWS Coastal Program*.—(Interior: USFWS: Resource Management: Habitat Conservation: Coastal Program)
- \$50 million for *Department of Interior, Coastal Resilience Fund*.—(Interior: Office of the Secretary: Departmental Operations: Coastal Resilience Fund)
- \$27.2 million for *USEPA National Estuary Program*.—(USEPA: Water: Ecosystems: National Estuary Program/Coastal Waterways)

These non-regulatory investments strengthen and revitalize America's coastal communities by improving habitat and local water quality. Healthy coastlines protect communities from flood damage and extreme weather, improve commercial fisheries, protect vital infrastructure, and support tourism and recreational opportunities.

#### USFWS COASTAL PROGRAM

The Coastal Program (CP) is a voluntary, incentive-based program that provides technical and financial assistance to coastal communities and landowners to protect and restore fish and wildlife habitat on public and private lands in 24 priority coastal ecosystems, including the Great Lakes. The Coastal Program works collaboratively within the USFWS to coordinate strategic priorities and make landscape-scale progress with other Federal, State, local, and non-governmental partners and private landowners. Since 1985, the Coastal Program has:

- Partnered with more than 5,000 Federal, tribal, State, and local agencies, non-governmental organizations, corporations, and private landowners.
- Restored 334,796 acres of wetland habitat; 148,160 acres of upland habitat; and 2,176 miles of stream habitat.
- Protected more than 2 million acres of coastal habitat.
- Provided technical assistance to a diverse range of conservation partners.

Our coastal communities and ecosystems are on the front lines of changing and more extreme weather, and support for the USFWS Coastal Program helps interested communities and partners address the new set of challenges facing coastal communities. The Coastal Program has been a key conservation delivery tool within the USFWS aimed at on-the-ground habitat restoration and technical assistance. Despite the program's relatively small cost, it is having a huge impact on the ground. A recent estimate by USFWS Coastal Program staff shows that the program leverages \$8 non-Federal dollars for every Federal dollar spent. This makes the Coastal Program one of the most cost-effective habitat restoration programs within the U.S. Fish and Wildlife Service.

The Coastal Program stimulates local economies by supporting jobs necessary to deliver habitat conservation projects; positions supported include environmental consultants, engineers, construction workers, surveyors, assessors, and nursery and landscape workers. These jobs also generate indirect economic activities that benefit local hotels, restaurants, stores, and gas stations. The Coastal Program estimates that the average project supports 60 jobs and stimulates 40 businesses—this represents major local economic returns on the Federal investment.

In Puget Sound, Washington, the Coastal Program invested \$20,000 to support a project to clean up and remove old and abandoned fishing gear from the waters, resulting in a direct economic impact to the local economy of \$51,000 from just \$20,000 in Federal funds. Around Puget Sound abandoned gear like nets, lines, crab and shrimp traps pose many problems for people, fish and marine animals. Just one lost net is estimated to result in 4,400 crabs trapped which results in a lost value to the crab fishery of \$20,000. This project removed over 84 gillnets—returning an estimated value well over \$1.5 million in value to just the crab fishery.

Restore America's Estuaries urges your continued support and funding for USFWS Coastal Program and asks that you provide \$15 million for fiscal year 2016.

#### DEPARTMENT OF INTERIOR, COASTAL RESILIENCE FUND

The Department of Interior's newly proposed Coastal Resilience Fund will provide much-needed support for the restoration and conservation of key coastal natural systems, such as beaches, dunes, and wetlands that protect communities and infrastructure from the impacts of coastal storms. In collaboration with State, local, and tribal governments, non-government organizations, universities or other stakeholders, the program's goals are to mitigate the impacts of climate change on coastal and inland communities from storm wave velocity, erosion, flooding, sea-level rise and associated natural threats; to strengthen the ecological integrity and functionality of coastal and inland ecosystems to protect communities; and to enhance the ability of Federal lands to support important recreational, wildlife and cultural values.

Restore America's Estuaries urges Congress to fund the Coastal Resilience Fund and recommends that USFWS' Coastal Program administer the program with the Office of the Secretary to ensure the funding leverages existing staff biologists, science capacity, and expertise within the USFWS and further advances the mission of the agency. The USFWS Coastal Program has experience working to strategically direct resources for greatest impact on the landscape scale and is the best program aligned to meet the Department's Coastal Resiliency objectives.

This proposed funding is modeled after the Department of Interior's Hurricane Sandy Coastal Resiliency Competitive Grants Program that Congress established after Hurricane Sandy. The previous funding successfully provided funds to the Hurricane Sandy affected region with great success, and should be continued and expanded before more costly efforts are needed down the road.

In New Jersey, American Littoral Society received funding to restore 50 acres of Delaware Bay's wetlands and 6 miles of beach in Cape May and Cumberland Counties, New Jersey. Still in implementation, the project will improve horseshoe crab spawning, provide shorebird stopover area, and improve ecological and economic community resilience. The project will also enhance the understanding of the impacts of extreme weather events and the benefits of nature-based infrastructure and ecosystem services, and will identify cost-effective, resilience tools that help mitigate for future events.

We are encouraged by Congress' past support for resiliency project funding within the Department of Interior and urge that you provide \$50 million for fiscal year 2016. This will help advance resiliency efforts in areas that still have time to prepare their coastal communities for future extreme weather.

#### USEPA NATIONAL ESTUARY PROGRAM

The National Estuary Program (NEP) is a non-regulatory network of voluntary community-based programs that safeguards the health of important coastal ecosystems across the country. The program utilizes a consensus-building process to identify goals, objectives, and actions that reflect local environmental and economic priorities.

Currently there are 28 estuaries located along the Atlantic, Gulf, and Pacific coasts and in Puerto Rico that have been designated as estuaries of national significance. Each NEP focuses its work within a particular place or boundary, called a study area, which includes the estuary and surrounding watershed.

Each National Estuary Program demonstrates real environmental results through on-the-ground habitat restoration and protection. Their efforts reflect local environmental and economic priorities and involve the community as equal partners throughout the decisionmaking process. Collectively, NEPs have restored and protected more than 1.5 million acres of land since 2000.

Restore America's Estuaries urges your continued support of the National Estuary Program and asks that you provide \$27.2 million for USEPA National Estuary Program/Coastal Waterways. Within this amount for fiscal year 2016, no less than \$600,000 should be directed to each of the 28 NEPs in the field.

#### CONCLUSION

Restore America's Estuaries greatly appreciates the support this subcommittee has provided in the past for these important programs. These programs help to accomplish on-the-ground restoration work which results in major benefits:

1. *Economic Growth and Jobs.*—Coastal habitat restoration creates between 17 and 33 direct jobs for each million dollars invested, depending on the type of restoration. That is more than twice as many jobs as the oil and gas sector and road construction industries combined. The restored area supports increased tourism and valuable ecosystem services.
2. *Leveraging Private Funding.*—From 2005 to 2012, Federal investment in the USFWS Coastal Program leveraged non-Federal dollars at a ratio of 8 to 1. The NEPs leveraged non-Federal dollars at a ratio of 15 to 1. In a time of shrinking resources, these are rates of return we cannot afford to ignore.
3. *Resiliency.*—Restoring coastal wetlands can help knock down storm waves and reduce devastating storm surges before they reach the people and property along the shore.

We greatly appreciate you taking our requests into consideration as you move forward in the fiscal year 2016 appropriations process, and thank you for doing so. We stand ready to work with you and your staff to ensure the health of our Nation's estuaries and coasts.

[This statement was submitted by Jeffrey R. Benoit, *President and CEO.*]



PREPARED STATEMENT OF THE RIVERSIDE-SAN BERNARDINO COUNTY INDIAN HEALTH, INC.

I am Brandie Miranda Greany and I am a member of the Pechanga Band of Luiseno Indians and the Treasurer of Riverside-San Bernardino County Indian Health, Inc. Thank you for the opportunity to testify about the 2016 appropriations for the Indian Health Service.

Riverside-San Bernardino County Indian Health is a consortium of nine tribes located in Riverside and San Bernardino counties. Our member tribes are the Pechanga Band of Luiseno Indians, the Cahuilla Band of Indians, the Santa Rosa Band of Cahuilla Indians, the Ramona Band of Cahuilla Indians, the Soboba Band of Luiseno Indians, the Torres-Martinez Desert Cahuilla Indians, the Agua-Caliente Band of Cahuilla Indians, the Morongo Band of Mission Indians, and the San Manuel Band of Mission Indians. We operate several health centers under a self-governance compact with the Indian Health Service and we are very proud of the vast array of services offered at our clinics, including medical, dental, optical, behavioral health, pharmacy, laboratory, environmental health, community health representative, and nutrition services.

We serve over 15,000 Native Americans and 3,000 related family members, and experience over 100,000 patient visits each year. Our service area includes two of the largest counties in the contiguous United States, so our member tribes have joined together to develop a way to economically and efficiently provide healthcare services for our people. We also provide healthcare for three other local tribes: the Twenty-Nine Palms Band of Mission Indians, the Cabazon Band of Mission Indians, and the Augustine Band of Cahuilla Indians. Almost two-thirds of our patients come either from these three local tribes or from members of other non-consortium tribes who reside in our two-county service area.

Given the number of patients we treat, our IHS dollars can only go so far. But we are thankful for the support of Congress and the funding provided to ensure our people are healthy. We also cannot thank you enough for listening to the tribal representatives that appear at these hearings to share their experiences. We were pleased that last year's appropriations signaled that Congress heard our voice and we hope you will continue to pressure IHS to honor the Government's trust responsibility to provide culturally-competent and high-quality healthcare for Native Americans.

*Mandatory Contract Support Costs (CSC) Appropriations.*—Last year, I thanked the subcommittee for its hard work in achieving full funding for our compact with IHS. This year we have a lot more to be thankful for due to the support of this subcommittee. Not only did Congress's instructions to IHS ensure that our contract support costs were paid in full, but Congress encouraged the agency to reverse the hostile position it had taken with tribes in the past. And perhaps more importantly, the agency has committed to working with tribal leaders to develop long-term solutions to ensure our contracts are never underfunded again. We are extremely appreciative of your support and your efforts to bring about this long-overdue change.

I had hoped to report that despite extremely contentious negotiations, we were finally able to reach a settlement of our prior year claims against the agency. And while we did reach a tentative settlement with the agency back in September following several rounds of in-person negotiations, our settlement agreement has yet to be signed by the Government. We are ready to put these claims behind us, so we cannot understand the cause for this seemingly endless delay in just signing our agreement.

All that said, 2014 was a truly historic year. But, our gains came at a price, because when the agency realized it had not accurately estimated the total contract support cost need for 2014, it was forced to reprogram service funds to cover its obligations. This meant that while self-governance tribes received full contract funding for the first time ever, our brothers and sisters that receive direct services at IHS facilities faced program reductions due to IHS's faulty predictions. Tribes made clear that we wanted our contracts paid in full, but not at the expense of reducing services for other tribes. And throughout the year of consultation on long-term solutions, tribes made clear the way to prevent this situation was with a permanent mandatory appropriation for CSC. Only that vehicle would separate CSC payments from the IHS services budget, protecting vital program funds, while also ensuring our contracts are always paid in full. There really could be no better solution to this predicament than a mandatory appropriation.

The agency listened to tribal requests and included a proposal to move CSC to a mandatory appropriation beginning in 2017. We believe the details of the proposal could use some improvement, but the message is right on—CSC must be moved to a mandatory appropriation. The Supreme Court has already ruled that the Govern-

ment must fulfill its statutory and contractual obligation to pay CSC in full, so these amounts must be paid regardless of the type of appropriation. A mandatory appropriation will meet this goal and also ensure service funds are not reduced to cover this obligation.

The agency proposed a 3-year appropriation, but we believe the measure should actually be permanent. A permanent appropriation would obligate the Government to fund only the amounts necessary to pay the full requirement each year, and no more; however, if the appropriation has a limited duration, IHS would have to estimate the total cost to fully fund CSC each year, and like any estimates these totals will necessarily be imprecise. Erring on the high side uses more money than is necessary in a tight budget climate.

Lastly, the administration's proposal sets aside up to 2 percent of the appropriation for program administration. This provision should be eliminated. The appropriation is meant to cover CSC and provide funds for tribes, not the agency. Additionally, if the agency adopts the instruction from Congress to simplify CSC calculations, these changes will reduce bureaucracy, eliminating the need for this set aside. Our goal is to simplify this process, not build up a large monitoring bureaucracy that requires us to devote even more administrative resources to CSC calculations, negotiations and reconciliations.

In any event, the proposal is a historic first step. And we ask this subcommittee to ensure this proposal becomes law—a law that will complete the fight for CSC that tribes have been waging for decades.

*Medicare-like Rates For Outpatient Services.*—Our IHS dollars can only go so far. However, they would go much farther if we were able to pay Medicare-like rates through the Purchased and Referred Care program (contract care) for the non-hospital outpatient and specialty services our patients need and that we are unable to provide in our clinics. The regulation at 42 C.F.R. 136 part D limits the amounts tribes pay for hospital services to the amount Medicare would pay for these same services (the Medicare-like rate provision). For years, tribes have been fighting for the implementation of a similar provision that covers outpatient services—the other half of the services we must send patients out to access, such as cardiology, pain management, nephrology, endocrinology and dialysis. Without such a provision, our contract care dollars are drained to pay the full billed charges, which are often several times higher than the Medicare rates.

Congress can fix this issue. Congress has already done so for the health programs administered by the Department of Defense, and the Department of Veterans Affairs issued a final rule to limit the amount its health programs pay for comparable services. Similarly, this past year IHS proposed a regulation to try and fix this issue and extend Medicare-like rates for outpatient services. However, IHS's proposal—while better than nothing—had some issues. First, the proposed regulation was mandatory, meaning it may interfere with contracts that tribes have already negotiated. Second, the proposal did not have any flexibility, so tribes could never negotiate a higher rate in case of emergency or the absence of providers willing to provide services at these lower rates. While we truly appreciate the agency's willingness to tackle this issue in response to tribal concerns, we believe a legislative fix is necessary because only legislation can address the enforcement mechanisms that will be needed to implement this reform.

In summary, a provision to extend Medicare-like rates for all contracted services could increase tribal buying power between an estimated \$100 million to \$340 million nationwide. For our program alone, access to Medicare-like rates for our outpatient referrals would save us on average 33 percent of the charges we are currently billed—an amount which would translate into approximately \$500,000 in savings each year that could be used for additional healthcare. This legislation would expand and enhance tribal access to care and improve the health status of all served. It is therefore no surprise that support for this legislation has been affirmed by a variety of organizations that are familiar with our programs, including the IHS California Area Office; National Congress of American Indians; National Indian Health Board and the IHS Office of Tribal Self Governance. We also note this change would be “budget neutral” to the Federal Government, so we ask you to take action on this measure as swiftly as possible.

*YRTC Funding.*—The IHS 2016 budget includes \$17.8 million for staffing and operating costs for newly-constructed facilities and Youth Regional Treatment Centers (YRTC). In 2014, the California Area Office finally started construction on the Southern California YRTC. That construction is scheduled to be completed in December 2015, so full funding for fiscal year 2016 staffing needs are essential to ensure the facility opens on time and can serve a maximum number of patients. Additionally, the agency plans to start construction of the Northern California YRTC and

this facility, too, will need funds for staffing and operation. Together, these facilities will provide much-needed care for our Native youth.

For example, when our Native children need this care we currently have to send them out-of-State for intensive care services. These programs are costly and we pay up to \$10,000 per month for these intensive care services. Even worse, our families are forced to travel long distances to places like St. George, Utah for family visits. Large distances also impact the continuity of care because there are few opportunities for medical providers and families to interact on an ongoing basis. The California YRTCs will provide these crucial services locally in an environment where families and children can work together. These opportunities will allow the whole family to heal together.

For instance, the California YRTCs will provide residential chemical dependency treatment for Native youth from 12 to 17. Each facility offers comprehensive 3 to 4 month treatment programs, which incorporate mental health services, medical care, education, aftercare planning, and family therapy. They are also designed to respond to the unique cultural needs of our youth. These facilities will be critical for treating youth that are struggling, ensuring they can get back on track and lead healthy productive lives as adults. But, our new facilities will be meaningless without the talented professionals that will be needed to staff them. Therefore, we ask that Congress fully fund this line item and ensure our YRTCs live up to their potential.

Thank you once again for the opportunity to appear in front of this distinguished subcommittee and share our concerns.

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#### PREPARED STATEMENT OF THE SAC AND FOX NATION

On behalf of the Sac and Fox Nation thank you for the opportunity to present our requests for the fiscal year 2016 budgets for the Bureau of Indian Affairs (BIA) and the Indian Health Service (IHS). The Sac and Fox Nation is home of Jim Thorpe, one of the most versatile athletes of modern sports who earned Olympic gold medals for the 1912 pentathlon and decathlon.

The Sac and Fox Nation supports and appreciates the President's fiscal year 2016 budget proposal for an overall increase of 12 percent for BIA over the fiscal year 2015 enacted level, the largest increase in more than a decade (excluding Recovery Act funding). The IHS would receive a 9 percent increase.

In general, all tribal programs including BIA and IHS line items should be exempt from any budget recessions and discretionary funding budget reductions. Further, the Sac and Fox Nation is extremely concerned about the consequences of the 2013 sequestration and similar future reductions to tribal program funding. We strongly urge Congress to fully restore sequestration cuts from fiscal year 2013 since it threatens the trust responsibility and reduces portions of the budget that are not major contributors to the deficit.

#### TRIBAL SPECIFIC REQUESTS

##### I. TRIBAL SPECIFIC REQUEST

*\$4.95 Million to Fully Fund Operations and Maintenance of the Sac and Fox Nation Juvenile Detention Center (SFNJDC)—Bureau of Indian Affairs—Public Safety and Justice—Office of Justice Services—Detention/Corrections Facility Operations and Maintenance Account.*—The Tribal Law and Order Act (TLOA) requires Department of the Interior (DOI) Indian Affairs to develop guidelines for approving correction centers for long term incarceration, as well as work with the Department of Justice on a long-term plan for tribal detention centers. In the absence of appropriations to fully fund and fully implement TLOA, the intent of Congress and the effectiveness and benefits of TLOA to tribal courts, law enforcement and detention programs in Indian Country are less of a reality and more of what tribes have experienced in the past—an unfulfilled trust obligation.

##### II. NATIONAL REQUESTS—BUREAU OF INDIAN AFFAIRS

1. *Authorize mandatory funding and fully fund Contract Support Costs (CSC).*—The President's budget request for contract support costs is \$277.0 million, an increase of \$26.0 million above the fiscal year 2015 enacted level. Based on the most recent analysis, the requested amount will fully fund 2016 tribal contract support costs. The budget also includes—for the first time ever—a new proposal to fully fund BIA and Indian Health Service contract support costs as mandatory funding, beginning in fiscal year 2017.

2. *Public Safety and Justice—Law and Order—Detention/Corrections.*—Fully fund all provisions of the Tribal Law and Order Act of 2010 and the Tribal Provisions in the Violence Against Women Act Reauthorization.
3. *Restore 2013 Sequestered Cuts (\$119 million) to Tribal Program Funding.*
4. *+ \$319 million over fiscal year 2015 for Tribal Priority Allocations Account.*—We support an increase of \$139 million in fiscal year 2016 and that these increases be provided via tribal base funding agreements.
5. *Office of Self-Governance (OSG).*—Provide increased funding to the OSG to fully staff the office for the increase in the number of tribes entering self-governance.

### III. NATIONAL REQUESTS—INDIAN HEALTH SERVICE

1. *Authorize mandatory funding and fully fund Contract Support Costs (CSC).*—The President's fiscal year 2016 budget proposal fully funds the estimated need for CSC at \$718 million, an increase of \$55 million above fiscal year 2015. The estimated increase includes funding for new and expanded contracts and compacts. The budget also requests that CSC be reclassified to a mandatory appropriation beginning in fiscal year 2017;
2. *Restore 2013 Sequestered Cuts (\$220 Million) to Tribal Health Services;*
3. *+ \$368.9 million over the fiscal year 2015 President's proposal budget for IHS Mandatory Funding (maintain current services).*—Mandatories are unavoidable and include medical and general inflation, pay costs, contract support costs, phasing in staff for recently constructed facilities, and population growth;
4. *+ \$70.3 million for Purchased and Referred Care.*—The President's fiscal year 2016 budget includes \$25.5 million increase, in addition to \$43.6 million in Purchased and Referred Care (PRC) medical inflation and \$1.2 million for staffing/operating costs (total PRC increase of \$70.3 million). The PRC program pays for urgent and emergency and other critical services that are not directly available through IHS and tribally operated health programs; and
5. *Restore \$6 million to the Office of Tribal Self-Governance (OTSG) to fulfill legal requirements under Title V of Public Law 106-260 which increased the responsibilities of OTSG.*

### TRIBAL SPECIFIC REQUEST—\$4.95 Million to Fully Fund Operations of the Sac and Fox Nation Juvenile Detention Center (SFNJDC)—Bureau of Indian Affairs—Public Safety and Justice—Office of Justice Services—Detention/Corrections Account

In 1996, the Sac and Fox Nation Juvenile Detention Center (SFNJDC) opened its doors as the first regional juvenile facility specifically designed for American Indians/Alaska Natives, as well as the first juvenile facility developed under Public Law 100-472, the Self-Governance Demonstration Project Act.

At that time, the Bureau of Indian Affairs made a commitment to fully fund the SFNJDC operations; however this commitment was never fulfilled. Even though the Sac and Fox Nation continues to receive and use Federal dollars to address the issue of juvenile delinquency and detention for tribes in the Southern Plains Region and Eastern Oklahoma Region, it has never received sufficient funds to operate the facility at its fullest potential.

Full funding would allow the Sac and Fox Nation to provide full operations including (but not limited to):

- Juvenile detention services to the 46 tribes in Oklahoma, Kansas and Texas;
- Rescue more of our at-risk youth and unserved youth in need of a facility like the SFNJDC;
- Re-establish programs we have lost due to inadequate funding such as: On-site Mental Health Counseling; Transitional Living, Vocational Training, Horticulture, Life Skills, Arts and Crafts, Cultural Education and Activities, Spiritual Growth and Learning;
- Offer job opportunities in an area that is economically depressed; and
- Fully staff and expand staff training to address high volume of staff turnover which will allow for continuity in operations and service delivery.

At the fiscal year 2016 Regional Budget Formulation Session, these tribes continue to support and endorse full funding for operation of the SFNJDC and included it as a priority in their "Top 10 Budget Increases" for the fiscal year 2016 BIA budget.

The current funding level represents only approximately 10 percent of what is needed to fully fund the Juvenile Detention Center Operations and Maintenance. Additional funding in the amount of \$4.95 million, over what Sac and Fox already receives in base funding (\$508,000), would fully fund the facility at a level to ad-

dress the need of juvenile delinquency in the tri-State area and create opportunities for employment for more tribal members.

The SFNJDC is a 50,000+ square foot, full service, 24 hour, 60 bed (expandable to 120 beds) juvenile detention facility that provides basic detention services to all residents utilizing a classification system based on behavioral needs to include special management, medium and minimal security. Our facility was designed to provide programs including behavioral management, alcohol and substance abuse, spiritual and cultural growth and learning, self-esteem, arts and crafts, health and fitness, horticulture, nutrition, life skills, vocational technical training, counseling, educational programs and a Transitional Living Center.

Through a partnership with the local High School, students are afforded an education at the public school level, including a graduation ceremony and issuance of a certificate upon successfully achieving the State requirements. Additionally, the Sac and Fox Nation has an on-site Justice Center providing Law Enforcement and Tribal Court services and the Sac and Fox Nation also operates an on-site health clinic which provides outstanding medical services that include contract service capabilities for optometry, dental and other health-related services.

The lack of adequate funding from the BIA and decreases in base funding have mushroomed into underutilization and erosion of the programs our facility was built to offer. Our current funding levels only allow us to provide an alcohol and substance abuse program, some health and fitness activities and a basic education program. We have lost our programs for vocational training, horticulture, life skills, arts and crafts, on-site counseling and transitional living. The passage of the 2010 Tribal Law and Order Act was applauded by the Sac and Fox Nation because we saw this as an opportunity for the Federal government to finally step up to its pledge to fully-fund the SFNJDC and honor its treaty and trust obligations to our people. However, the lack of funding is also impeding the implementation of TLOA!

In 1996, the SFNJDC was built as a model facility in Indian Country. And nearly 20 years later there is still a need for such a facility to help our youth return to their traditional healing and spiritual ways. As a self-governance tribe we operate our tribal government on the premise that we are the best provider of the services and know which services are most needed in our communities. We saw the increasing need in the 1990's for a facility like the SFNJDC and we acted on our instincts to help our youth by giving them a place to turn their lives around and the access to programs, services and holistic care they needed to recover and heal. Sadly, the number of Native American youth, and juveniles overall requiring detention has not decreased. The Sac and Fox Nation Juvenile Detention Center was built with the same intentions as the Tribal Law and Order Act Long-Term Plan to Build and Enhance Tribal Justice Systems today. The SFNJDC has the facility, staffing, ability, commitment and capacity to provide superior detention and rehabilitation services to Native American youth, as well as any youth in the tri-State area in need of our services. We do not understand the Federal Government's desire to fund the construction of more detention facilities while our beds remain empty.

Thank you for allowing me to submit these requests on these fiscal year 2016 budgets.

[This statement was submitted by Hon. George L. Thurman, *Principal Chief*.]

#### PREPARED STATEMENT OF THE SEATTLE INDIAN HEALTH BOARD

Chairman Cole, Ranking Member DeLauro and Representatives of the Subcommittee on Labor, Health and Human Services (HHS), Education, and Related Agencies, my name is Aren Sparck. I am the Government Affairs Officer for the Seattle Indian Health Board (SIHB), which is a contractor and grantee with the Indian Health Service (IHS), and one of the largest of the 33 Subchapter IV of the Indian Health Care Improvement Act (IHCIA) funded Urban Indian Health Programs (UIHP). We provide primary care services as a Health Resources Services Administration 330 program, offer outpatient services on-site, and operate the Thunderbird Treatment Facility, a 65-bed inpatient chemical dependency treatment center. We also create, analyze, and report on urban Indian health data through our Urban Indian Health Institute (UIHI), the only IHS Tribal Epidemiology Center (TEC) in the country with a national purview. We are asking for \$5 million for urban American Indian/Alaska Native (AI/AN) health research funds over 5 years.

I am requesting that the subcommittee increase their investment in monitoring the health status of the urban AI/AN population. Since 1970, the urban AI/AN population has grown from 45 percent<sup>1</sup> of all AI/ANs to 71 percent<sup>2</sup> in 2010. The urban AI/AN health line item was less than 1 percent<sup>3</sup> of the overall IHS budget in fiscal year 2015, with a flat increase in the President's fiscal year 2016 budget. There

were negligible allocations from other Federal trust obligation areas of housing and education to address the needs of the urban population. Considering this, it is easy to see that the urban AI/AN population suffers alarmingly high rates of disparities, notably in poverty, unemployment, a lack of health insurance, etc.<sup>4</sup> Despite UIHPs and urban AI/AN serving institutions receiving legislative authority in Subchapter IV<sup>5</sup> (formerly Title V) of the IHCIA, as amended in 2010 in the Patient Protection and Affordable Care Act (PPACA), a lack of inclusion in program and resource planning committees at the HHS level has resulted in the majority of funds going to tribes where approximately two out of every 10 AI/ANs live in tribal lands.<sup>2</sup> The fiscal year 2015 IHS budget urban line item was \$46.3 million dollars,<sup>3</sup> again less than 1 percent of the total IHS budget, despite 7 out of every 10 AI/ANs living in urban areas.<sup>2</sup> We feel that the almost discriminatory lack of resource and administrative attention the urban AI/AN population receives can be attributed to a lack of inclusion in program-planning at the Federal level, and a lack of quality data for reference. This is the reason we are asking the subcommittee to invest not just in funds, but administration-wide, so a more complete picture of AI/AN community health can be achieved. We feel that with increased investment from HHS, the IHS budget shortfall for the urban population will be better addressed with sound science and data.

We recently had a conversation with the Director of the Office of Minority Health (OMH) about the importance of increasing their monitoring investment for urban AI/ANs. What we heard from the director was, unfortunately, what we have heard from every department head in HHS. They absolutely do understand the overrepresentation in population and underrepresentation in research dollars allocated to the urban, but the resources are just not there to address the disparities.

Because the urban receive so little attention from HHS and the OMH, we have very little baseline data concerning where the 71 percent of urban AI/ANs are accessing healthcare and what types of services they are utilizing. We know that our urban AI/AN population suffers from high rates of health disparities in multiple chronic conditions,<sup>4,6</sup> but the UIHPs that are tasked with delivering healthcare to the 3.7 million AI/ANs living in urban areas are only in 19 States and 100 counties.<sup>7</sup> In the UIHP catchment areas, there are one million AI/ANs we can have potential access to,<sup>8</sup> but the reality is, we see a small fraction of that. In SIHB's catchment area of King County, the most urban and populated county in the State of Washington, there are approximately 40,000 AI/ANs,<sup>9</sup> and we see only 3,889.

Knowing where our population is going for healthcare, and what types of services they are utilizing pre- and post-healthcare reform implementation will help us understand whether: (1) the quality of national data sets, such as the Epi Data Mart, UDS and CMS data are creating a comprehensive picture of urban AI/AN health; (2) chronic conditions are being treated; (3) primary and preventative care are being accessed; (4) access to the IHS, Tribal Health and UIHP (I/T/U) system of culturally relevant care make a difference in health status; and (5) the policy intervention the PPACA implemented is truly making a difference in the AI/AN population.

To do this, we are asking that the subcommittee allocate \$5 million in research funds over 5 years to the OMH specifically for the analysis of where urban AI/ANs are accessing care throughout the country and what types of services they are utilizing. This is the baseline data that will allow us to make better policy decisions about where research and program funds go in Indian Country to end the high health disparities our urban population experiences. We also ask that the funds go to an AI/AN research organization such as the TECs that have experience collecting and analyzing national data. This will help build the scientific and infrastructure capacity within our AI/AN community necessary to create a trusting partnership between HHS and Indian Country by legitimizing quality research and data analysis for AI/ANs by AI/ANs. This is preferable to seeing research dollars build the capacity of academic institutions whose primary focus is not in Indian Country.

Aside from the \$5 million for urban AI/AN healthcare access and service utilization analysis, we ask that funding priorities reflect less understood and emergent issues our urban population is facing. Because our urban population is by and large highly mobile and low-income, social and health pressures are exerting themselves in our urban AI/AN youth that are vulnerable to conditions of mental health and chemical dependency problems, violence and an alarming incidence of prostitution and human trafficking. Our youth are very susceptible to gang violence, as the family and cultural dynamic is often disparate and inconsistent due to a lack of any dominant AI/AN culture in the city. A special funding emphasis needs to be made addressing dental health and access to specialty care for our population. With these funds, we can create coalitions between the UIHPs and Marketplace and Medicare/Medicaid purchasers, both private and public. These coalitions can create a system that understands that our population is in immediate need of specialty care to sta-

bilize chronic conditions, which will lead to primary care use for preventative medicine purposes. With a push towards capitation for public health purchasing, this type of dialog is essential to eliminate health disparities in our urban AI/AN population instead of sustaining a chronic state of health.

It is unfortunate that the urban AI/AN population finds itself suffering from almost constant disparity. Many factors have led us here: lack of representation (no urban voice in HHS Secretary's Tribal Advisory Committee or the OMH's AI/AN Health Research Advisory Council; lack of a single Federal definition of AI/AN (five different definitions of AI/AN used in IHCIA);<sup>10</sup> a general acceptance of the Federal Government that conferring with and allocating almost entirely to tribes is addressing the health and human service needs of the entire AI/AN population, etc. We know that the AI/AN population is overrepresented in urban areas, yet severely lacks access to the Federal trust. An AI/AN does not cease to be AI/AN just because they have left tribal lands. By geographically limiting the reach of the Federal trust only to those AI/ANs who reside on tribal lands, we are forcing AI/ANs to think they cannot keep their identity by leaving the geographical boundaries of their tribe. Congress has acknowledged that the Federal trust obligation does not end at the reservation boundary.<sup>11</sup> We need to follow the lead of the 1921 Snyder Act, which gives Congress broad discretion in allocating funds for the "care, benefit, and assistance of Indians throughout the United States."<sup>12</sup> That there is no tribal or geographical caveat in this legislation proves that the Government does indeed have an obligation to all AI/AN people, regardless of where they choose to live.

By dedicating funds to address our data needs, understanding our healthcare access and utilization patterns, stabilizing our chronic conditions to lead to preventative care utilization, and addressing the emergent health and social threats, HHS can demonstrate that they are dedicated to ending the health disparities our AI/AN population faces. I want to be very explicit that in no way am I advocating for taking money from the tribes to fund these urban initiatives, as they are woefully underfunded as it is. I am asking that the subcommittee increase their investment in Indian Country to a level that reflects actual need, thereby fulfilling the Federal trust obligation the Federal Government has to our AI/AN population.

#### Endnotes

<sup>1</sup>U.S. Department of Commerce, Bureau of the Census. 1970 Census of Population: Subject Report—American Indians.

<sup>2</sup>U.S. Census Bureau. 2010. "Census 2010 American Indian and Alaska Native Summary File; Table: PCT2; Urban and rural; Universe Total Population; Population group name: American Indian and Alaska Native alone or in combination with one or more other races."

<sup>3</sup>U.S. Department of Health and Human Services. 2016. Justification of Estimates for Appropriations Committees, Indian Health Service Fiscal Year 2016. pgs. CJ-23, CJ-27.

<sup>4</sup>Urban Indian Health Institute, Seattle Indian Health Board. (2011) Community Health Profile: National Aggregate of Urban Indian Health Organization Service Areas. Seattle, Washington: Urban Indian Health Institute.

<sup>5</sup>Subchapter IV of Chapter 18 of Title 25 of the United States Code (25 U.S.C. §§1651 et seq.).

<sup>6</sup>Castor ML, Smyser MS, Tualii M, Park A, Lawson SA, Forquera R. (2006). A nationwide population-based study identifying health disparities between American Indians/Alaska Natives and the general populations living in select urban counties. *American Journal of Public Health*, 96(8), 1478–84.

<sup>7</sup>The Urban Indian Health Institute. About Urban Indian Health Organizations. 2015. <http://www.uihi.org/about-urban-indian-health-organizations/>.

<sup>8</sup>Testimony of Donna Keeler, President of the National Council of Urban Indian Health to the U.S. House of Representatives Appropriations Subcommittee on Interior, Environment, and Related Agencies Native American Witness Day Hearing, March 25, 2015. <http://docs.house.gov/meetings/AP/AP06/20150325/102900/HHRG-114-AP06-Wstate-KeelerD-20150325.pdf>.

<sup>9</sup>United States Census, 2010. 2010 Demographic Profile Data, King County, Washington. <http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk>.

<sup>10</sup>National Indian Health Board. The Definition of "Indian" Under the Affordable Care Act Approved by the Tribal Technical Advisory Workgroup. 2010.

<sup>11</sup>Senate Report 100–508, Indian Health Care Improvement Act Amendments of 1987, September 14, 1988, page 25.

<sup>12</sup>25 U.S.C. § 13,1921.

#### PREPARED STATEMENT OF THE SHOSHONE-PAIUTE TRIBES OF THE DUCK VALLEY RESERVATION

Chairwoman Murkowski, Ranking Member Udall, and members of the subcommittee, my name is Lindsey Manning. I am Chairman of the Shoshone-Paiute Tribes of the Duck Valley Indian Reservation. I am pleased to submit testimony concerning the fiscal year 2016 budget for the Bureau of Indian Affairs (BIA), Bureau

of Land Management (BLM) and Indian Health Service (IHS). The Shoshone-Paiute Tribes are grateful for this subcommittee's long standing support of Indian tribes and for sharing its understanding of Indian Country with your colleagues so that this Congress can continue to empower tribal governments and promote the bipartisan national goals of local control and Indian self-determination.

The Duck Valley Reservation is a large, rural reservation that straddles the Idaho-Nevada border along the east fork of the Owyhee River. It encompasses 450 square miles in Elko County, Nevada and Owyhee County, Idaho. The reservation is 140 miles from Boise, Idaho, and 100 miles from Elko, Nevada. Many of our 2000 tribal members make their living as farmers and ranchers, though a number of them are employed by the tribes. We assume most duties of the BIA and IHS under self-governance compacts, although the BIA continues to provide law enforcement and detention services on the reservation.

Building and maintaining tribal infrastructure is our greatest challenge:

- We are replacing our administration buildings contaminated by mold;
- We have renovated a detention center to create a modern facility that can house treatment programs and implement “alternatives to incarceration” programs to reduce recidivism;
- We are undertaking road safety improvements and reconstruction of existing roads to make our community safer;
- We are building our Cultural Resources Protection and Greenhouse/Native Plant Programs to employ and train the next generation of tribal members to protect cultural resources sites and, in partnership with BLM, restore native plants indigenous to the region following damaging wildfires;
- We are working to restore salmon to the reservation for the first time in over 80 years; and
- We continue to look for economic development opportunities.

In too many instances, however, our success in these areas is largely dependent on Federal appropriations which, in turn, determine whether economic and social conditions on the Duck Valley Indian Reservation improve or worsen. While we contribute tribal resources to these endeavors as best we can, we look to our Federal partner for support. As a remote reservation, we cannot turn to a nearby jurisdiction for help in providing essential services. The tribal government is the only local government available. If we fall short, our members suffer. For this reason, we support the President's fiscal year 2016 budget request for the Bureau of Indian Affairs, Bureau of Land Management and Indian Health Service. Without sustained growth in these Federal programs, we cannot meet the needs of our reservation. We encourage this subcommittee to build on the proposed increases in the President's budget for these essential tribal programs. Our priorities for fiscal year 2016 include:

1. *Increase funding for the BIA Public Safety and Special Initiatives Program.*—

To provide alternatives to incarceration for adult and juvenile offenders from Duck Valley and alter the “detention first, treatment second,” mentality, we urge the subcommittee to build on the President's modest \$11.5 million increase (3.2 percent) for BIA's Public Safety and Justice Programs. We receive \$250,000 in additional recurring funding to participate in a pilot program with the BIA's Office of Justice Services (OJS) to reduce recidivism on the Duck Valley Reservation by creating an “alternative to incarceration” model program. Housing shortages limit our ability to hire and place substance abuse counselors, mental health professionals and detention personnel on the reservation to kick start our pilot program.

For that reason, we also urge the subcommittee to expand the greatly reduced Housing Improvement Program (HIP) above its \$8 million budget. If we can access HIP funds, it would free up other resources to address the need for housing health and law enforcement/detention professionals on the reservation where housing is simply not available.

I also urge the subcommittee to support the President's \$4 million increase for the BIA's “Special Initiatives” subaccount for fiscal year 2016 and include statutory language to make clear that such funds may be used for the purchase or lease of temporary trailers or modular units to house personnel associated with law enforcement, corrections, probation, tribal courts and other professionals serving adult and youth offenders. For rural communities, housing is often the linchpin that enables key personnel to locate to the reservation and make a difference.

2. *Fund the Owyhee Initiative within the Bureau of Land Management (BLM).*—

The Owyhee Initiative is a joint effort by ranchers, recreationalists, County and State officials, and the Shoshone-Paiute Tribes to protect, manage and appropriately use public lands in Owyhee County, Idaho. In 2009, Congress passed the Omnibus Public Land Management Act, Public Law 111-1. In 2010, we entered into a 5-year agreement with BLM to protect cultural resources and increase public under-



standing and appreciation of these resources. Increased recreational use and encroachment within the Owyhee River Wilderness Area and other Federal lands place these resources under stress. This year we seek to enter into another 5-year agreement with BLM. As the Department has noted, urban growth and off-highway vehicle (OHV) use on public lands continues to increase and place increased demand on public health and safety and natural and cultural resource protection programs. We have been a good partner with BLM.

BLM funding several years ago allowed us to purchase two Cessna planes and ATV equipment and hire one Chief Ranger and a Cultural Resources Director to patrol public lands and report violations of cultural and religious sites to BLM officials. We work closely with BLM and Owyhee County officials to coordinate compatible recreation use within BLM lands in Owyhee County, especially within the wilderness areas where we seek to protect cultural resource sites important to our tribes. The Ranger and Director also spot and report wildfires to BLM officials before the fires can do great damage to sensitive, remote areas.

We seek recurring BLM funds to continue this important work to protect cultural sites and establish a Reserve Ranger Program to engage tribal youth in cultural and related activities during the summer. The Chief Ranger and Cultural Resources Director are near retirement and it is essential that we hire and train replacement staff, including a pilot, to continue their important work for our tribes. We seek BLM funds to hire an Assistant Director, one adult Tribal Ranger and two part-time Youth Rangers, train a qualified applicant as an additional pilot, purchase two more ATVs and two camp trailers to permit tribal personnel to remain in the field and overhaul the two Cessna planes per FAA regulations and construct a hanger at the Owyhee Airport to centralize our operation and increase surveillance flights over Owyhee County. We contribute nearly 50 percent of the required budget but cannot sustain this important program without Federal support. Our plan requires \$600,000 to fully fund the above activities.

We also support the administration's \$2.0 increase for BLM Cultural Resources Management and other BLM accounts used to manage and protect archaeological and historic properties on public lands. Scattered across millions of acres of high desert in southwest Idaho and northern Nevada are the remnants of campsites, villages, hunting blinds and rock inscriptions that tell the story of the Shoshone-Paiute and other tribes. After speaking with Shoshone-Bannock tribal officials, together with northern tier Nevada tribes (including the Te-Moak, Battle Mountain, South Fork and Goshute tribes), we seek BLM funds to form a tribal cultural resources work group to spread best practices for cultural resources management and protection that we have learned over the last 20 years. We would be a good candidate for a BLM grant. We request a special appropriation to create a multi-tribal task force to propose and design strategies for on the ground protection of Native American cultural resources for the Upper Great Basin and High Plateau of the tri-State area of Nevada, Oregon and Idaho.

3. *Telecommunications (fiber optics).*—The tribes continue to need fiber infrastructure over 5 miles for connectivity among Fish, Wildlife and Parks, Tribal Headquarters, Juvenile Services Center, Fire Station and the Owyhee Community Health Facility. The health center serves as the Wide Area Network (WAN) hub for the tribes' and health center's computer network. Connectivity among these facilities and programs would alleviate the long-term monthly recurring cost we pay to an Ethernet Circuit provider (\$96,000 annually). We require \$500,000 to construct new fiber networks and cover construction inspection fees. We urge the subcommittee to increase appropriations so that remote, rural communities like Duck Valley can improve telecommunications networks and break down communication barriers to promote education and job opportunities for our members.

4. *East Fork Owyhee Salmon Steelhead Recovery and Reintroduction Project.*—We seek to return Chinook salmon and steelhead trout to Duck Valley and the State of Nevada through an innovative "trap-and-haul" program. Dam construction along the Columbia and Snake Rivers eliminated salmon from the State of Nevada. Duck Valley is unique in that it supports two major tributaries to the Snake River. Last year, we financed a pilot study that found that habitat in the East Fork of the Owyhee River may support a summer rearing capacity of between 3,300 and 43,000 juvenile steelhead trout and from 3,600 to 41,000 Chinook salmon. With additional funding of approximately \$210,000 for the next 3 years, we can complete our habitat surveys of the East Fork Owyhee River, including obtaining data on non-summer river conditions, as well as an assessment of the Bruneau River habitat.

We propose to transport adult fish from Lower Granite Dam or Hells Canyon Dam and release the fish above China Dam into the East Fort Owyhee River to spawn. Emigrating juvenile fish would later be captured and released downstream from passage carriers on the Snake River to complete their migration to the Pacific

Ocean. Adult salmon originating from the East Fork Owyhee River would later be captured in the lower Snake River and transported back upstream.

We urge the subcommittee to support the President's \$48 million increase to the BIA's Trust-Natural Resources Management program budget, including the Fish, Wildlife and Parks program. Tribes contract a significant part of the Natural Resources program funds. An increase to the BIA's Trust-Natural Resources budget can help us with this innovative project to restock the reservation with salmon and steelhead trout.

5. *Quagga Mussel Issue (invasive species).*—The fiscal year 2016 budget proposes to maintain funding at essentially the fiscal year 2014 funding levels for invasive species (\$6.7 million). This is penny wise and pound foolish. We seek funds to add an additional boat-washing station at the Wildhorse Reservoir near the reservation for the boat launch we lease. This will ensure that boaters who then transport their boats to tributaries of the Columbia and Snake Rivers do not transfer invasive species into those rivers. We are also working with Nevada State officials to improve existing State laws concerning this issue. Ignoring invasive species is only asking for trouble. Please augment the fiscal year 2016 budget for invasive species above the President's request.

6. *Native Plant Program/Greenhouse.*—In cooperation with the Idaho Bureau of Land Management, the tribes gather, propagate and make available seed and other native plant materials that are indigenous to the region. Through a series of assistance agreements with BLM, we built a greenhouse and are growing seedlings (including sagebrush and bitterbrush seedlings) for planting on adjacent public lands. This assists BLM and other agencies in their efforts to restore lands damaged by wildfires and helps employ tribal members. This year, we are completing construction of three greenhouses, plus installation of equipment, walk-in-cooler and workshop. We plan to hire a greenhouse manger and have tribal members collect seeds. For fiscal year 2016, we seek funding to build a facility to house equipment to dry, clean and store seed and hire part-time greenhouse staff to focus on marketing and finances. We plan to have 40,000 containerized grasses and shrub seedlings available for sale, together with willow and other riparian plant cuttings and local vegetables for sale and distribution through our "Honor Our Elders" program. We seek Interior Department appropriations of \$205,000 over the next 5 years to expand our program and be a reliable supplier of native plants and seedlings for BLM.

7. *IHS.*—We fully support the President's fiscal year 2016 budget increases to the Indian Health Service (IHS) budget, especially in the area of clinical services, including Purchased/Referred Care and Contract Support Costs (CSC). We also support the administration's request to shift CSCs to a "mandatory" appropriation beginning in fiscal year 2017, but would want to ensure that the shift is permanent in nature. This funding must be paid. We are pleased to report that after years of litigation, the tribes recently settled unpaid CSC claims with the IHS. The settlement will allow us to augment our available health services for the benefit of our members.

Please build on the President's budget request to meet tribal health and safety needs that strengthen our community. Thank you for affording me the opportunity to testify.

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#### PREPARED STATEMENT OF THE SOCIETY FOR HISTORICAL ARCHAEOLOGY

*Our Request.*—\$89.91 million for the Historic Preservation Fund

—\$46.925 million for State Historic Preservation Offices (SHPOs)

—\$9.985 million for the Tribal Historic Preservation Offices (THPOs)

—\$500,000 in grants for underrepresented populations

—\$30 million for the Civil Rights competitive grants initiative

—\$2.5 million for competitive grants for Historically Black Colleges and Universities (HBCUs)

These programs are funded through withdrawals from the U.S. Department of the Interior's National Park Service Historic Preservation Fund (16 U.S.C. § 470h) (HPF).

#### SOCIETY FOR HISTORICAL ARCHAEOLOGY (SHA) AND ITS MEMBERS

With more than 2,300 members, SHA is the largest organization in the world dedicated to the archaeological study of the modern world and the third largest anthropological organization in the United States. Most members are professional archaeologists who teach, work in museums or consulting firms, or have government posts. Through SHA's close relationship with the Advisory Council for Underwater

Archaeology, our members also include many of the world's underwater archaeologists.

#### FUNDING SHPOS AND THPOS IS CRITICAL TO PROTECTING U.S. ARCHAEOLOGY

In 1966, Congress, recognizing the importance of our heritage, enacted the National Historic Preservation Act (16 U.S.C. § 470, et seq.) (NHPA), which established historic preservation as a Federal Government priority. Historic preservation recognizes that what was common and ordinary in the past is often rare and precious today, and what is common and ordinary today may be extraordinary in the future.

Instead of using Federal employees to carry out the Act, the Department of Interior and the Advisory Council on Historic Preservation opted to partner with the States and use SHPOs and THPOs to, among other tasks, review all Federal projects for their impact on historic properties. In order for the review process to work smoothly and for historical archaeological sites to be protected, SHPOs and THPOs must have adequate funding. Proper financial support for their work allows SHPOs and THPOs to review and approve projects in a timely basis, moving projects forward in an efficient manner and protecting irreplaceable cultural and historical resources and sites. SHA appreciates the administration's efforts to support preservation and the HPF, and applauds the addition of funding for the Civil Rights initiative; however, we ask that the subcommittee also consider increasing funding to SHPOs and THPOs given chronic underfunding of their activities.

The budget request does include a \$1 million increase for THPOs. THPOs are chronically underfunded; the additional \$1 million is a start to solving that challenge for tribes working to preserve and protect their culture and history. The request also includes \$30 million for Civil Rights initiatives and \$2.5 for HBCUs in recognition of the anniversary of the Civil Rights movement. SHA supports these funding pieces, as well, and hopes that such funds will help diversify the sites preserved under the HPF.

#### CONCLUSION

On behalf of its 2,300 members, SHA would like to thank the subcommittee for the opportunity to submit testimony. SHA also thanks the subcommittee for its commitment to historic preservation and heritage management.

[This statement was submitted by Dr. Charles Ewen, *President*.]

#### PREPARED STATEMENT OF THE SOUTHEAST ALASKA REGIONAL HEALTH CONSORTIUM

My name is Michael Douglas and I serve as the Vice-President and Chief Legal Officer to the SouthEast Alaska Regional Health Consortium (SEARHC). I am honored to be here to testify before this subcommittee about SEARHC's priorities and I thank Chairwoman Murkowski, Ranking Member Udall, and all members of the subcommittee for the opportunity to do so.

SEARHC is an inter-tribal consortium of 15 federally recognized tribes situated along the southeast panhandle of Alaska. Our service area stretches over 35,000 square miles, and with no roads connecting many of the rural communities we serve, we work hard to provide quality health services to our communities. These services include medical, dental, mental health, physical therapy, radiology, pharmacy, laboratory, nutritional, audiology, optometry and respiratory therapy services. We also provide supplemental social services, substance abuse treatment, health promotion services, emergency medical services, environmental health services and traditional Native healing. We provide these services through a network of community clinics and the Mt. Edgecumbe Hospital located in Sitka, Alaska.

The urgent healthcare needs across Indian Country are well known and the challenges in meeting those needs are heightened in areas like Southeast Alaska where communities are isolated and transportation and facilities costs are high. SEARHC applauds the administration for recognizing these needs by increasing the Indian Health Service (IHS) budget. It is vital that these increases be preserved. But even these increases will not be enough to allow SEARHC and other tribal organizations to meet the healthcare needs of the people we serve. We will meet these challenges, but to do so we will need your help.

#### *Facilities Funding*

Our greatest need is for increased facilities funding. We reported to this subcommittee last year on this topic and another year of use has only increased those needs. At 67 years old, the Mt. Edgecumbe Hospital is the oldest facility in Alaska and one of the oldest in the Nation. According to IHS's Facilities Engineering Defi-

ciency System, the cost to update SEARHC's facilities is \$29,600,000. This results in potential health telecommunications and electric outages, which translates into potential interruptions in critical care services including emergency services. Further, the funding deficiency delays many necessary improvements, impacts physician staffing, and hurts SEARHC's ability to expand and enhance services, such as tele-health. And we are not unique. Estimates place IHS facilities funding needs at \$8.13 billion, a number that keeps on rising because IHS lacks sufficient funding to maintain these facilities. We do our best to patch the problem, but the bottom line is that without adequate facilities, SEARHC cannot provide adequate services.

We request the subcommittee do four things.

*Replace aging IHS facilities.* We need a commitment from Congress to start replacing aging IHS facilities. This will require reordering the current facilities priority list, which was created on a first come, first served basis. All rankings should be based on true need.

*Increase facilities funding in the current budget proposal.* The President's budget contains modest funding increases for facilities needs, totaling \$179 million. While we applaud the administration for taking this first step, it is only a first step, addressing only 2 percent of the \$8.13 billion needed. Similarly, the President's budget proposes for the first time in years, an increase in Maintenance and Improvement funds of \$35 million, for a total of \$89 million in M&I funding. That said, there is a critical maintenance backlog of \$467 million. This means that \$378 million of critical maintenance is not going to be addressed. We strongly encourage the subcommittee to increase the facilities funding in the IHS budget.

*Joint Venture Projects.* The JV project provides IHS funds to staff facilities built with tribal funds. SEARHC submitted a proposal in the most recent Joint Venture project funding round. Despite receiving a very high score, our proposal to build a facility on Prince of Wales Island was not selected. And in fact, of the 37 applications submitted, only 13 were put on a list to eventually receive funding. The fact that qualified projects were not selected is evidence of the fact that the need for such facilities far outstrips IHS's willingness to enter into these agreements.

Our situation is a good example. Currently, our hospital in Sitka serves people living as far away as Klawock. Travel to Sitka requires a lengthy combination of automobile, ferry, and airplanes and takes at least a day and often is an overnight trip. If weather is bad, as it often is in Southeast Alaska, it can take even longer. The only alternative are costly air ambulance flights. We proposed to construct a Critical Access Hospital in Klawock. This would have strengthened the primary care service in the area, while first the first time also offering complex diagnostic services and acute and emergency care to one of the remotest, most rural area of the Nation. Despite the overwhelming need for these services, our project was rejected.

In order to provide funding for this project, as well as the other JV projects that were not selected this year, we urge this subcommittee to direct IHS to enter into more Joint Venture Agreements.

*The Indian Health Care Improvement Act (IHCIA) renovation program.* Finally, we recommend the subcommittee provide funding for tribally renovated IHS buildings, pursuant to section 1634 of the IHCIA. The IHCIA allows tribes to renovate IHS facilities and authorizes IHS to provide staffing and equipment for the newly renovated structure, mirroring the JV program. But Congress has never funded this program. We strongly urge the subcommittee to realize the promise of this program by providing \$10 million to fund it. We would be delighted to do an Alaska demonstration project for this new initiative.

#### *Contract Support Costs*

In recent years, much progress has been made on the issue of contract support costs, thanks in large part to this subcommittee. First, Congress's decision to fully fund contract support costs in 2014 recast the issue from one of contention to one of cooperation. And Congress's continued support for full CSC funding has continued to strengthen the relationships between tribal organizations and the Federal Government.

Now we see a new opportunity for your leadership on this issue. The President has requested that, starting in 2017, CSC be funded as a mandatory 3-year appropriation. While SEARHC supports the idea of mandatory CSC appropriations, we strongly believe that it should not be limited to 3 years. As the President's budget request reflects, CSCs are amenable to a mandatory appropriations scheme because they are recurring every year and are required to be added to all new programs that tribal organizations contract from the Indian Health Service (IHS) or the Bureau of Indian Affairs (BIA). Plus, mandatory appropriations would ensure that neither IHS nor the BIA ever has to redirect funding from direct programs to CSC funding,

as the IHS did this year. All these reasons will apply equally 5 years from now as they do today, and there is no reason to only implement mandatory appropriations for 3 years. We therefore urge the subcommittee to work with other relevant committees to support a permanent mandatory appropriation for CSC.

We also hope the subcommittee will address the administration's apparent plan to now keep each tribal organization's contract open for 5 years after the end of the contract year for reconciliation purposes. This approach is simply unworkable. Even now, IHS struggles to get funding out on time, when it is only facing reconciling 1 year back while also working on the current year funding issues. Trying to reconcile 5 years of contracts plus the current year will frankly be an unnecessary and avoidable disaster. Plus, neither IHS nor our tribal organizations can afford the considerable time such a reconciliation process would demand. It is in all the parties' interest to quickly finalize the amounts needed under the last year's contract so that we can focus on the current year. We therefore request this subcommittee direct IHS to finalize contract support cost payments to all tribes within 60 days of the end of each contract period.

We also urge the subcommittee to include language in the appropriations act making clear that IHS must pay contract support costs on the Methamphetamine and Suicide Prevention Initiative (MSPI) and Domestic Violence Prevention Initiative (DVPI) program funds. Despite years of acknowledging that CSC are due on these program funds, IHS recently reversed course and required tribes to cover CSC costs with program funds. This is contrary to Congress's clear directive in the Indian Self-Determination Act and should be addressed immediately.

#### *Rural Communities Hospital Demonstration Program*

SEARHC renews our request from last year that the subcommittee members support the extension of the Rural Community Hospital Demonstration Program (RCHD). This program supports hospitals like Mt. Edgecumbe that are located in rural areas but do not qualify as critical access hospitals. Because these hospitals do not qualify as critical access hospitals, they would generally be required to bill at the standard Medicare and Medicaid rates. But in rural areas, the costs of providing services are much higher than in other areas of the country and thus the standard rates undercompensate rural providers. The RCHD remedies this problem by allowing qualifying hospitals to use cost-based reimbursement rates for billing Medicare and Medicaid.

Over the past 3 years, 2012 through 2014, SEARHC recovered \$8 million more for inpatient services provided to Medicare-eligible individuals. Without this program, SEARHC would lose money on inpatient Medicare services. As a rural hospital, SEARHC is the least able to absorb such negative margins. We already pay more in every step of the healthcare delivery chain, from increased cost for providers, to increased transportation costs, to increased food and shipping costs. We simply cannot afford to subsidize treatments to Medicare-eligible individuals.

As important as the RCHD program is, it is due to sunset at the end of this fiscal year. It is vitally important to SEARHC, as well as many other tribal organizations that run rural hospitals, that this program be extended. We hope you will become advocates for this program so that hospitals like Mt. Edgecumbe can continue to provide services in remote areas.

#### *Communities Health Center Funding*

SEARHC also urges the subcommittee members to support adding additional monies to the Community Health Center (CHC) Fund in 42 U.S.C. §254b-2. This Fund, which provided critical dollars to fund CHCs, is due to run out at the end of this fiscal year.

Eleven of SEARHC's clinics are Communities Health Centers. This program allows us to provide vital services to remote and underserved communities. Without the CHC Fund, we will have to reduce our services and perhaps even close some of our health centers, leaving individuals without access to primary care in their home communities. A trip to the doctor would mean traveling hundreds of miles by boat or plane. Important care will be foregone, routine care will be deferred, and health outcomes will worsen.

We therefore encourage all subcommittee members to support appropriating more funds to the CHC Fund.

Thank you for the opportunity to present to the subcommittee on SEARHC's priorities.

## PREPARED STATEMENT OF THE SQUAXIN ISLAND TRIBE

Good morning distinguished members of this subcommittee and special congratulations to Congressman Derek Kilmer, a new member from the State of Washington. On behalf of the tribal leadership and citizens of the Squaxin Island Tribe, it is an honor to provide our funding priorities and recommendations for the fiscal year 2016 budgets for the Bureau of Indian Affairs (BIA) and Indian Health Service (IHS). Squaxin Island Tribe requests that tribal program funding throughout the Federal Government be exempt from future sequestrations, rescissions and disproportionate cuts.

We support the President's fiscal year 2016 proposal to fully fund the BIA and IHS contract support costs (CSC) as a mandatory funding line item beginning in 2017. And, for the first time ever a new proposal in the fiscal year 2016 budget to request \$277 million, which based on the most recent analysis, will again fully fund tribal contract support costs in 2016 which is consistent with the full funding for CSC in both fiscal year 2014 and 2015.

## THE FISCAL YEAR 2016 SQUAXIN ISLAND TRIBAL SPECIFIC REQUESTS:

1. \$500,000 Shellfish Management Program—BIA.
2. \$2 Million to build and operate an oyster and clam nursery for Southern Puget Sound—BIA.
3. \$1.5 Million increase for Northwest Indian Treatment Center (NWITC) Residential Program in IHS.

## THE FISCAL YEAR 2016 SQUAXIN ISLAND REGIONAL REQUESTS:

1. +\$4.7 Million increase for Rights Protection.
2. Fully support the budget requests from the Affiliated Tribes of Northwest Washington (ATNI) and the Northwest Portland Area Indian Health Board (NPAIHB) and the Northwest Indian Fisheries Commission.

## NATIONAL REQUESTS AND RECOMMENDATIONS—BUREAU OF INDIAN AFFAIRS:

1. Restore 2013 sequestered cuts (\$119 million) to Tribal Program Funding.
2. +26 percent increase for Natural Resources; \$48 million over fiscal year 2015.
3. +\$139 million increase for Tribal Priority Allocations to be provided via tribal base funding agreements.
4. Fully fund all the provisions of the Tribal Law and Order Act of 2010.

## NATIONAL REQUESTS AND RECOMMENDATIONS—INDIAN HEALTH SERVICE:

1. Restore 2013 sequestered cuts (\$220 Million) to Tribal Health Services.
2. +\$368.9 million increase for IHS Mandatory Funding (maintain current services).
3. +\$70.3 million support proposed increase for Purchased and Referred Care (PRC).

## OTHER:

*Provide Funding Increases.*—Office of Tribal Self-Governance (IHS) and the Office Self-Governance (DOI) to fully staff and support the number of tribes entering Self-Governance.

## SQUAXIN ISLAND TRIBE BACKGROUND:

We are native people of South Puget Sound and descendants of the maritime people who lived and prospered along these shores for untold centuries. We are known as the People of the Water because of our strong cultural connection to the natural beauty and bounty of Puget Sound going back hundreds of years. The Squaxin Island Indian Reservation is located in southeastern Mason County, Washington and the tribe is a signatory to the 1854 Medicine Creek Treaty. We were one of the first 30 federally recognized tribes to enter into a Compact of Self-Governance with the United States.

Our treaty-designated reservation, Squaxin Island, is approximately 2.2 square miles of uninhabited forested land, surrounded by the bays and inlets of Southern Puget Sound. Because the Island lacks fresh water, the tribe has built its community on roughly 26 acres at Kamilche, Washington purchased and placed into trust. The tribe also owns 6 acres across Pickering Passage from Squaxin Island and a plot of 36 acres on Harstine Island, across Peale Passage. The total land area including off-reservation trust lands is 1,715.46 acres. In addition, the tribe manages roughly 500 acres of Puget Sound tidelands.

The tribal government and our economic enterprises constitute the largest employer in Mason County with over 1,250 employees. The tribe has a current enroll-

ment of 1,040 and an on-reservation population of 426 living in 141 homes. Squaxin has an estimated service area population of 2,747; a growth rate of about 10 percent, and an unemployment rate of about 30 percent (according to the BIA Labor Force Report).

#### TRIBAL SPECIFIC REQUESTS JUSTIFICATIONS:

1. *\$500,000—SHELLFISH MANAGEMENT.*—The Squaxin Island Tribe faces a budget deficit to maintain and operate the shellfish program at the current level. To effectively grow and develop the program, an annual minimum increase of \$500,000 to address the shortfall and ensure the continuance of this program is requested.

Shellfish have been a mainstay for the Squaxin Island people for thousands of years and are important today for subsistence, economic and ceremonial purposes. The tribe's right to harvest shellfish is guaranteed by the 1854 Medicine Creek Treaty. It is important to remember that these rights were not granted by the Federal Government. They were retained by the tribe in exchange for thousands of acres of tribal lands. On December 20, 1994 U.S. District Court Judge Edward Rafeedie reaffirmed the tribe's treaty right to naturally occurring shellfish. Rafeedie ruled that the tribe(s) has the right to take up to 50 percent of the harvestable shellfish on Washington beaches.

The Squaxin Island Natural Resources Department (SINRD) is charged with protecting, managing and enhancing the land and water resources of the tribe, including fish and shellfish habitat and species. In so doing, the Department works cooperatively with State and Federal environmental, natural resources and health agencies. The shellfish management work of the SINRD includes working with private tideland owners and commercial growers; surveying beaches; monitoring harvests; enhancing supply (prepping, seeding, monitoring beds) and licensing and certifying harvesters and geoduck divers. We estimate that 20 percent of treaty-designated State lands and 80–90 percent of private tidelands are inaccessible to us due to insufficient funding.

In fiscal year 2011, the shellfish program represented only \$250,000 of the \$3.3 million budget. The result is we are unable to fully exercise our treaty rights due to lack of Federal support for shellfish.

2. *\$2 Million—Build and Operate an Oyster and Clam Nursery for Southern Puget Sound.*—In the past few years, problems with seed production have developed in the shellfish industry. These problems have been primarily caused by weather and or other environmental factors, and their effects on the industry have resulted in the lack of viable and large enough seed for growers. The Squaxin Island Tribe recognizes that it is uniquely positioned to develop a new nursery to serve the shellfish growers of the South Puget Sound region. A shellfish nursery is a capital project that is both proven and a cost effective technology that takes small oyster and clam seeds and provides a safe and controlled environment for the seeds to grow to a size that can survive integration onto a regular beach placement. We have an ideal location for a nursery because it will not be disturbed by residents or recreational boaters.

Our efforts will be an extension of another project that was created through a U.S. Department of Agriculture appropriation nearly two decades ago for the Lummi Tribe, which created an oyster and clam hatchery in Northern Puget Sound. The Lummi project over years has been very successful and they have supplied not only their own beaches but other tribes' in their region as well. The project would benefit not just Squaxin Island Tribe. It would further improve the quality and quantity of seed and make the seed process more effective for tribal and non-tribal growers. The users of the facility would be the Squaxin Island Tribe, other tribes, and non-tribal clam and oyster businesses that have been largely unable to find sites for this type of operation.

The tribe's project will be a joint venture with the Lummi Nation, in that Lummi would be a primary larvae supplier. The project, with the expected grow-out and expansion of the industry attributable to the improved supply of seed, would offer jobs in a depressed employment area. Once established, the venture would be fully self-sustaining through sales of the product grown and at the nursery.

This project would be a capital cost of approximately \$2 million. The tribal in-kind contribution to the efforts would include land and shoreline and operating costs. Comparable land and shoreline, if privately owned, would be easily valued in the millions.

3. *\$1.5 Million Increase for Northwest Indian Treatment Center (NWITC) Residential Program in IHS "D3WXbi Palil" meaning "Returning from the Dark, Deep Waters to the Light"*—NWITC has not received an adequate increase in its base Indian Health Service budget since the original congressional set-aside in 1993.—The

Squaxin Island Tribe has been operating the Northwest Indian Treatment Center (NWITC) since 1994. Ingenious in creativity, the center offers a wide variety of cultural activities and traditional/religious ceremonies, making it a natural place to heal—body, mind and soul. Fittingly, the center was given the spiritual name “D3WXbi Palil” meaning “Returning from the Dark, Deep Waters to the Light.” Since the original congressional set-aside in 1993, NWITC has not received an adequate increase in the base Indian Health Service budget. It is critical to increase the NWITC’s annual base in order to sustain the current services to the tribes of the Northwest. An increase of \$1.5 million would restore lost purchasing power and meet the need to add mental health and psychiatric components to the treatment program through other funding agents. This increase would allow NWITC to continue its effective treatment of Native Americans.

NWITC is a residential chemical dependency treatment facility designed to serve American Indians from tribes located in Oregon, Washington and Idaho who have chronic relapse patterns related to unresolved grief and trauma. NWITC is unique in its integration of tribal cultural values into a therapeutic environment for co-occurring substance abuse and mental health disorders. It is a 28 bed, 30–60 day residential facility.

Welcomed and hailed by tribal leaders who felt the urgent need for such a facility, NWITC is centrally located in Grays Harbor County between Olympia and Aberdeen, on 2.5 acres in the small rural town of Elma, Washington. NWITC accepts patients that are referred through outpatient treatment programs, parole and probation services, hospitals, assessment centers and child and family service centers. Medical care is provided through local Indian Health Service clinics and other medical service providers. NWITC has responded with an overwhelming success rate of nearly 65 percent.

In 2011, the NWITC served 225 patients from 28 tribes and added intensive case management and crisis support to alumni in order to continue to promote positive outcomes for clients. Despite funding challenges, NWITC has continued to develop and deliver innovative, culturally appropriate services to meet increasingly complex demands.

The Treatment Center’s traditional foods and medicines program is supported through a partnership with the Northwest Indian College and is funded through grants from the Washington Health Foundation, the National Institute of Food and Agriculture, The Potlatch Fund and several tribes. Weekly hands-on classes focus on traditional foods and medicines, including methods for growing, harvesting, processing, and preparation. Twice a month, tribal elders, storytellers, and cultural specialists speak as part of the program. A monthly family class allows patients to share what they are learning with their loved ones. Patients gain hands-on experience by working in three on-site teaching gardens. This program serves as a model for other tribal communities.

It is ironic that we were forced into a lifestyle and to give up our land, and that which we retained or have since regained is threatened by the promises you made and have since recanted!

Thank you.

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#### PREPARED STATEMENT OF THE STANDING ROCK SIOUX TRIBE

On behalf of the Standing Rock Sioux Tribe, I am here to discuss appropriations for fiscal year 2016. The tribe greatly appreciates the work of this subcommittee and your efforts to address the needs of Indian Country. Progress is being made, and your support makes a difference in the lives of our people. At the same time, we continue to face great challenges which cannot be met in a single appropriations cycle. We look forward to continuing to work with the subcommittee in seeking a better future for Indian Country.

This past year has in many ways been a remarkable year for the Standing Rock Sioux Tribe, and especially for our youth. In June, several of our outstanding youth had an opportunity to meet with President Obama and the First Lady on our reservation—as the President and First Lady honored us with their historic trip to Standing Rock. For these young tribal members, this was no ordinary “meet and greet” with a public official. Instead, it was a chance for these youth to sit down in a private setting for a meaningful discussion with the President and First Lady, regarding the many challenges they face growing up on the reservation, and their hopes and dreams for the future. Our youth told the President and First Lady about the wide range of economic and social problems that are so prevalent in their communities—as poverty, violence, drug use, and suicide are all too common. Every one of these kids has faced circumstances in their families or their neighborhoods that



no child should have to endure. And yet, each of these courageous youth had confidence and high aspirations for the future.

The President was clearly moved by the stories of our young tribal members—and he said he would not forget our youth. As a first step, he invited an even larger group of Standing Rock youth to come to visit him in the White House. This group of 18 youth came to DC this past fall. They met with a broad range of high level Federal officials, including spending a couple of hours with Interior Secretary Jewell. And everywhere they went, our youth told their stories about the realities of reservation life, the challenges they face and the vast unmet needs on the reservation. Of course, it was not all business, as the President and First Lady also took our youth to a pizza place for lunch.

I was extremely proud of the courage, maturity and wisdom of these tribal youth—and I think we all can learn from them. I mention these events today because I believe the most important question the subcommittee can address is this—what can we do to address the needs of Indian youth? This is not a partisan issue—we all owe it to our children to do all we can to see that they have positive opportunities for the future. After meeting with our youth, the President included in his budget proposal several key initiatives specifically regarding Native Youth. We ask for the subcommittee's support of these initiatives. In addition, we hope that the subcommittee will support the full range of programs and initiatives—including education, law enforcement and healthcare—that will enable our youth to thrive.

*Native Youth.*—The President's budget proposes a youth initiative that he calls "Generation Indigenous,"—a comprehensive approach to addressing the barriers to success faced by Indian youth. This includes supporting Native Youth in community development projects and leadership training, convening a White House conference on Native Youth and more. The Generation Indigenous initiative will raise the profile of Native Youth issues nationwide, and will provide a framework for supporting the good work of Native Youth in their communities. We need to encourage a new generation of Native leaders, and Gen-I provides a positive and thoughtful approach to doing just that.

One part of Gen-I is the President's Tiwahe initiative—which is a program to strengthen Indian families and promote family stability—focusing in large measure on the delivery of services to children in a coordinated and comprehensive way. The concept is to bring together the expertise of different agencies to provide a working partnership that leads to more effective services.

One of the greatest needs in this regard is for more child protection workers and child welfare workers to assist children whose families are in crisis. Many of the children on our reservation—including some who met with the President—face unstable situations at home and need the support of professional social workers to ensure their safety and well-being. Providing more funding for the Tiwahe initiative and for social service programs affecting Native Youth will have a lasting impact in Indian Country. We urge the subcommittee to support these initiatives and programs, including the requested \$122 million for Tiwahe, to help our Native Youth.

*Education.*—As the subcommittee is well aware, high quality education is a fundamental requirement for success in today's world. To provide our youth with the education they deserve, we must do two things. First, we must provide the resources necessary to make quality education possible. Indian students should no longer be housed in crumbling and unsafe school buildings, with limited programs, outmoded equipment and last century's technology. Let's level the playing field and provide excellent teachers and modern programs in effective spaces for our children. And second, we must empower tribes to decide the best way to educate their own children. Federal dictates are not the answer. Each tribe must be enabled to bring the richness of its culture and local knowledge to the education of its children. Both components—adequate resources and true tribal self-determination—are vitally important to providing effective education in Indian Country.

Historical patterns of Indian education have not been successful. We know that the conventional models of education have simply not worked. The data indicates that only about 15 percent of Indian children in the United States are reading at grade level, and the dropout rate for Indian students is over 50 percent. These facts are unacceptable, and they signal a need for a new direction. We all might do well to look for an example to the Cut Wood School in Browning, Montana, where only the Blackfoot language is spoken up to 8th Grade. Cohort studies show that these students have a 95 percent graduation rate from high school. The Cut Wood School shows that we can do better for our students in Indian Country.

As far as resources needed for education in Indian Country, the President's budget provides some much-needed increases, totaling \$94 million. A portion of these funds would help tribes enhance their educational programs, including for language

immersion schools. We are very proud of our own language immersion program at Standing Rock—and young students from our program sang traditional songs for the President on his visit to our reservation. The budget also includes an increase of \$4.5 million for higher education scholarships and adult education, and an increase of \$34.2 million for modern technology for remote BIE schools—like those at Standing Rock. We urge the subcommittee to fully fund all of these programs, which will help provide vitally needed resources.

I believe in the fundamental principle of self-determination. But in the area of Indian education, there remain some major impediments. The testing associated with “Adequate Yearly Progress” from the Federal No Child Left Behind statute has been imposed on tribes and we have seen how much this adversely impacts our students. Tribes need the flexibility to develop and implement their own learning systems, with appropriate tribally designed measurements of progress. We know that amendments to the Elementary and Secondary Education Act are needed—and we will be seeking action by Congress in this regard. But other impediments to our goals in Indian education are found in the Interior Appropriations Act—particularly the language that generally prohibits tribal charter schools. We urge you to delete that language, so that tribes can move forward to establish their own tribally run charter schools, as a vehicle to implement true self-determination regarding Indian education.

In seeking the best education for our children, we are asking for your help. According to Albert White Hat, one of our esteemed elders who recently passed away, we use the Lakota word “Unsica” which means to ask someone for assistance. Each of us needs assistance in some way, and it is an honorable thing to request assistance from one another. In this spirit, we request your assistance regarding Indian education.

*Public Safety and Justice.*— Many of the challenges faced by our youth stem from violence and crime in our communities. We need the resources to address these challenges—including increased law enforcement staff and court staff, and more modern and efficient detention facilities. We urge the subcommittee to support the President’s proposed increase of \$11.5 million for public safety and justice.

Standing Rock is a large, rural reservation in North and South Dakota, covering 2.3 million acres. The reservation’s population—about 8,500 tribal members and 2,000 non-members—resides in eight widely scattered communities. Law enforcement staffing is simply inadequate to address the situation. And even among the law enforcement positions that are authorized on our reservation, more than half of the positions are vacant—a result of our isolated location and the lack of adequate housing. As matters stand, there are typically only 4 officers on duty per shift—and at times, this number is reduced to 2. These officers must cover the entire reservation. Drive times are extensive—as it takes an hour or more to drive from one community to the next, even when the weather is good. The result is that response times can be lengthy, and it is all too often the case that by the time police arrive on the scene of an incident, the suspects have fled. And, given the lack of staff and the great distances involved, there is certainly no opportunity for law enforcement to work with local communities on crime prevention or community outreach. The kinds of community policing that are the foundation of safe communities and positive police-community relations are simply out of reach with the resources available.

While law enforcement officers and staff do their best, we still have rising crime patterns on the reservation. Uniform Crime Reporting data from the BIA shows an alarming trend regarding crime—aggravated assault, burglary, motor vehicle theft and forcible or attempted rape have all shown significant increases over the three most recent years for which data is available. There are significant drug and alcohol problems on the reservation, and the vast majority of crime we face is associated with substance abuse. We need to address these problems with more effective law enforcement, but also with substance abuse treatment programs, community healing resources, and a tribal judicial process that emphasizes the cultural importance of addressing these issues. All of this requires more robust funding.

Tribal courts also need additional resources. At Standing Rock, our tribal court cannot carry out all the required criminal proceedings, let alone civil cases, with the small allocation of funds we receive from the BIA. The result is that the tribe has been forced to heavily subsidize our tribal court with tribal funds that are so desperately needed to address social programs and the ill effects of poverty suffered by our people. This is not a choice we should be forced to make. The President’s budget includes additional funding under the Tiwahi Initiative to address alternatives to incarceration and tribal family courts. We urge the subcommittee’s support.

*Healthcare.*—In addition to public safety, our youth need proper healthcare to thrive. Many of our youth suffer from behavioral problems that result from the poverty and other adverse conditions they find in their communities. In the most extreme cases, this can lead to the ultimate tragedy of youth suicide—something that is all too prevalent in our communities and that must be addressed in a more comprehensive and culturally appropriate way. The President's budget calls for the IHS and SAMSHA to work together on a Tribal Behavioral Health Initiative for Native Youth. This important initiative would expand a Methamphetamine and Suicide Prevention Initiative, which has proven effect where it has been implemented. We urge the subcommittee to support full funding (a \$25 million increase) for this initiative. Providing these services more broadly throughout Indian Country would be a compassionate and wise investment in the future of our youth.

We also urge the subcommittee to support the proposed increase of \$70 million in Purchased/Referred Care. At Standing Rock, the types of healthcare that can be provided on the reservation in our clinics are limited—and most healthcare must be secured off the reservation. Each year, many of our tribal members are forced to go without needed healthcare services because Purchased/Referred Care funds are depleted before the fiscal year ends. Whether our tribal members receive the health services they so desperately need should not depend upon the time of year when those services are needed.

*Contract Support Costs.*—We strongly support the President's proposal to establish a mandatory appropriation for the payment of contract support costs. These are funds that are promised to tribes in exercising self-determination, and they should no longer be the subject of annual shortfalls, appropriations struggles or litigation. Establishing a mandatory appropriation would alleviate a longstanding problem and assure fair treatment of the tribes.

Thank you to the subcommittee for your work in addressing the needs of Indian Country.

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PREPARED STATEMENT OF THE SUPPORTERS OF ST. VINCENT, NATIONAL WILDLIFE  
REFUGE

Madam Chair and members of the subcommittee:

On behalf of the Supporters of St. Vincent National Wildlife Refuge and its membership of current and former U.S. Fish and Wildlife Service (Service) professionals, Refuge Friends organizations and concerned citizens, thank you for your support for the National Wildlife Refuge System (NWRS), particularly for the funding increase for fiscal year 2015. We appreciate the opportunity to offer comments on the fiscal year 2016 Interior Appropriations bill and respectfully request:

- \$508.2 million for the Operations and Maintenance (O&M) accounts of the NWRS, including \$5 million for the Pacific Marine Monuments;
- \$900 million for the Land and Water Conservation Fund (LWCF), with \$173.8 million allocated for the FWS, including \$10 million for Everglades Headwaters NWR and Conservation Area (Florida); \$3 million for Silvio O. Conte NFWR (Connecticut, New Hampshire, Vermont, Massachusetts); \$3 million for Cache River NWR (Arizona); \$3 million for Flint Hills Legacy Conservation Area (Kansas); \$2 million for Bear River Watershed Conservation Area (Wyoming, Idaho, Utah); \$3.4 million for Blackwater NWR (Maryland); and \$1 million for the Clarks River NWR (Kentucky);
- \$60 million for the Refuge Fund;
- \$75 million for the FWS Partners for Fish and Wildlife Program;
- \$14 million for the FWS Coastal Program;
- \$60 million for FWS for Preparedness and Hazardous Fuels Reduction (under DOI);
- \$70 million for the State and Tribal Wildlife Grants Program;
- \$50 million for the North American Wetlands Conservation Fund;
- \$5 million for the Neotropical Migratory Bird Fund;
- \$11 million for the Multinational Species Conservation Fund.

We understand our Nation's challenging fiscal constraints but cutting funding to programs that are economic drivers and job creators in local communities only exacerbates an already difficult situation. For example, the NWRS averages almost \$5 in economic return for every \$1 appropriated and the Partners for Fish and Wildlife program returns nearly \$16 for every \$1 spent on projects. Unfortunately, just when these public lands and programs could return economic output to communities and help them through the recession, funding fell dramatically. Budgets have not kept pace with rising costs, and the gap between the funding needed to maintain these

programs and the funding appropriated has widened dramatically. The Refuge System is approximately \$72 million below what would be needed to keep pace with inflation relative to the fiscal year 2010 level (\$545.8 million inflation-adjusted).

To begin bridging that gap, the Supporters of St. Vincent, NWR urges Congress to fund these critical programs that leverage Federal dollars and serve as economic drivers.

#### *National Wildlife Refuge System—Operations & Maintenance*

NWRA chairs the Cooperative Alliance for Refuge Enhancement (CARE), a diverse coalition of 23 sporting, conservation, and scientific organizations representing more than 16 million Americans that supports increased funding for the Refuge System. CARE estimates the NWRS needs at least \$900 million annually to manage its 150 million acres and over 400 million acres of national marine monuments, yet it is currently funded at roughly half that amount—at less than \$1 per acre. The Refuge System cannot fulfill its obligation to the American public, our wildlife, and 47 million annual visitors without increases in maintenance and operation funds.

Funding for the Refuge System has declined substantially from a funding level of \$503 million in fiscal year 2010 to its current \$474.2 million—\$72 million below what it needs to keep pace with inflation. This has forced the Service to cut back on programs and create efficiencies whenever possible. Because of these hard decisions, the Service has cut their maintenance backlog in half from \$2.7 billion to \$1.3 billion. But budget cuts also led to the loss of 430 positions since fiscal year 2011 and thus an increase in the operations backlog, now at \$735 million. Because most refuge lands and waters are highly managed, this deterioration in staffing has had a dramatic impact resulting in significant declines in habitat preservation and management, hunting, fishing, volunteerism and scientific research.

For instance, visitor services staff has declined by 15 percent, forcing a reduction in public programs and hours of operation. Hunting visits are down by 5 percent since fiscal year 2011 and fishing visits are down 7 percent. Overall, there are fewer opportunities for the public to recreate, yet the desire for such programs is still high and visitation to all refuges since fiscal year 2011 has actually increased by 2.6 percent.

Reductions in visitor services can be extremely troubling to constituencies who want to visit. Take the Midway Atoll NWR in the Hawaiian Islands. In November of 2013, due to sequestration cuts, the Service suspended the visitors services program at Midway. Although in the 5 years prior to this suspension, the refuge saw only about 300 annual visitors, those visitors were passionate about their reasons for visiting. Perhaps they wanted to view the more than 3.5 million birds that call the refuge home, or perhaps they wanted to visit the Battle of Midway National Memorial to pay tribute to fallen U.S. soldiers from World War II. Whatever their reason, they wanted to have one of the most unique refuge experiences in the entire System. Congress has asked for a GAO investigation on why the Service suspended its program; yet it's clear that when you cut the budget and lose several positions including a permanent Wildlife Biologist, Park Ranger, and Law Enforcement Officer, there will be ramifications.

Equally troubling is the 15 percent drop in the number of volunteers since fiscal year 2011. At a time when record numbers of Americans are retiring and have the capability to give back, the Service's ability to oversee their efforts has been curtailed. Volunteers provide an additional 20 percent of work on our national wildlife refuges, yet they are being turned away when the System needs them the most.

During these years of challenging budgets, the Refuge System's potential to drive local economies and create jobs is of paramount importance. *Banking On Nature*, a report issued by the FWS in 2013, shows that even during the worst recession since the Great Depression, the Refuge System saw sales and economic output increase 20 percent to \$2.4 billion, visitation increase 30 percent to 46.5 million, average return on investment increase 22 percent to \$4.87 for every \$1 appropriated, and supported jobs increase 23 percent to 35,000.

#### *Strategic Growth*

The Land and Water Conservation Fund (LWCF) is an essential tool for protecting the integrity of the Refuge System and is the primary funding source for land and conservation easement acquisition by Federal land agencies.

Increasingly, LWCF is being used to conserve working lands through the acquisition of easements that secure conservation protection while leaving the land in private ownership and on the tax rolls. Conservation easements are powerful tools that foster public-private partnerships with ranchers, farmers and foresters to conserve wildlife, habitat and a uniquely American way of life. Innovative landscape-scale initiatives using easements as a primary conservation tool have broad community and

State support in New England's Connecticut River Watershed, the Flint Hills of Kansas, the Everglades Headwaters, Montana's Crown of the Continent, and the Dakota Grasslands. These iconic landscapes remain privately managed, generating tax income for local communities, securing our Nation's food, and balancing resource use and resource protection for wildlife.

In many cases, however, land acquisition is required to conserve intact and functional natural habitat. The Refuge System is responsible for safeguarding population levels of a range of species, including many species that require very specific habitat conditions, such as nesting grounds for sea turtle and isolated springs for endemic desert fish. Others require multiple habitat types during their life cycle. By acquiring critical habitat areas and linking conserved lands, the Refuge System enhances the overall integrity of the system and strengthens our network of habitat to give wildlife space and time to respond to changes, whether from climate or changing land use patterns.

The Supporters of St. Vincent, NWR calls on Congress to fund LWCF at \$900 million per year, with \$173.8 million provided in fiscal year 2016 to the FWS for conservation easements and refuge in-holdings, including the following projects and those advocated by refuge Friends:

- Everglades Headwaters NWR & Conservation Area (Florida)—\$10 million;
- Cache River NWR (Arizona)—\$3 million;
- Silvio O. Conte NFWR (New Hampshire, Vermont, Massachusetts, Connecticut)—\$3 million;
- Flint Hills Legacy Conservation Area (Kansas)—\$3 million;
- Bear River Watershed Conservation Area (Wyoming, Idaho, Utah)—\$2 million;
- Blackwater NWR (Maryland)—\$3.4 million;
- Clarks River NWR (Kentucky)—\$1 million.

#### *Commitment to Refuge Communities—Refuge Fund*

The Refuge System uses net income derived from permits and timber harvests to make payments to local communities to offset property tax revenue lost when the federally acquired lands are removed from local tax rolls, and relies on congressional appropriations to the Refuge Fund to compensate for the shortfall between revenues and tax replacement obligations. Unfortunately, declining revenues and lack of appropriations have resulted in the Service paying less than 50 percent of its tax-offset obligations since 2001. The negative impact on local communities is felt even more starkly in difficult economic times and severely strains relations between the Federal units and their local community, threatening the goodwill and partnerships that are keystones of successful conservation. Supporters of St. Vincent NWR request \$60 million for the Refuge Fund and thanks Chairman Calvert for his leadership in fiscal year 2015 to pursue a much-needed increase. We also call for a review of the Refuge Revenue Sharing Act of 1935 as amended, and consideration of conversion to a Payment-in-Lieu of Taxes (PILT) program to be consistent with other Federal land management agencies and to provide Refuge communities with more equitable payments.

#### *Partnerships*

With 75 percent of all fish and wildlife species dependent upon private lands for their survival, the Partners for Fish and Wildlife program (Partners Program) is one of the most powerful tools for protecting wildlife where it lives. By building effective partnerships between public agencies and private landowners to conserve America's expansive working landscapes, the Partners Program has implemented nearly 29,000 restoration projects in the past 25 years, restoring over 1 million acres of wetlands, 3 million acres of uplands, and 11,000 miles of streams. The program has been instrumental in the success of such iconic landscape conservation projects as the Rocky Mountain Front and Blackfoot Challenge in Montana and the Flint Hills in Kansas, and is playing a key role in conserving greater sage-grouse habitat in the intermountain west.

The Partners program consistently leverages Federal dollars for conservation, generating nearly \$16 in economic return for every \$1 appropriated for projects. The Refuge Association and the landowner-led Partners for Conservation request \$75 million for fiscal year 2016. Such a funding level would result in an additional \$400 million worth of conservation across the Nation.

The Partners Program provides a bridge between private and public conservation efforts that has been instrumental in the success of large landscape partnerships from Montana to Florida, and is playing a key role in conserving greater sage-grouse habitat in the intermountain west. To this end, we request an additional \$78 million for the Interior agencies to implement sagebrush steppe habitat conservation

and monitoring efforts that will leverage \$300 million in Department of Agriculture investments across the West.

*Sharing Lessons and Protecting Global Species*

Wildlife species know no international boundaries; therefore conservation must happen globally to ensure populations survive. Many international wildlife agencies look to the Refuge System as the world leader in wildlife and fish conservation. The Service's Wildlife Without Borders Program and Multinational Species Conservation Funds together support global partnerships to protect marine turtles, tigers and rhinos, great apes and elephants and other iconic species. These programs are particularly important as wildlife face a poaching crisis that is leading species such as rhinos to the brink of extinction. The Refuge Association and student-led Tigers 4 Tigers Coalition request \$11 million for the Multinational Species Conservation Fund in fiscal year 2016.

We believe that with sound conservation policy, adequate funding, and the power of more than 40,000 dedicated volunteers, the Refuge System can fulfill its mission to provide wildlife dependent recreation for Americans and protect the habitat for more than 700 species of birds, 220 species of mammals, 250 reptile and amphibian species and more than 1,000 species of fish. We look forward to working with Congress in 2015 to accomplish this goal.

[This statement was submitted by Nancy Stuart, *President*.]

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REFUGE

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*National Wildlife Refuge System—Operations & Maintenance*

NWRA chairs the Cooperative Alliance for Refuge Enhancement (CARE), a diverse coalition of 23 sporting, conservation, and scientific organizations representing more than 16 million Americans that supports increased funding for the Refuge System. CARE estimates the NWRS needs at least \$900 million annually to manage its 150 million acres and over 400 million acres of national marine monuments, yet it is currently funded at roughly half that amount—at less than \$1 per acre. The Refuge System cannot fulfill its obligation to the American public, our wildlife, and 47 million annual visitors without increases in maintenance and operation funds.

Funding for the Refuge System has declined substantially from a funding level of \$503 million in fiscal year 2010 to its current \$474.2 million—\$72 million below what it needs to keep pace with inflation. This has forced the Service to cut back on programs and create efficiencies whenever possible. Because of these hard decisions, the Service has cut their maintenance backlog in half from \$2.7 billion to \$1.3 billion. But budget cuts also led to the loss of 430 positions since fiscal year 2011 and thus an increase in the operations backlog, now at \$735 million. Because most refuge lands and waters are highly managed, this deterioration in staffing has had a dramatic impact resulting in significant declines in habitat preservation and management, hunting, fishing, volunteerism and scientific research.

For instance, visitor services staff has declined by 15 percent, forcing a reduction in public programs and hours of operation. Hunting visits are down by 5 percent since fiscal year 2011 and fishing visits are down 7 percent. Overall, there are fewer opportunities for the public to recreate, yet the desire for such programs is still high and visitation to all refuges since fiscal year 2011 has actually increased by 2.6 percent.

Reductions in visitor services can be extremely troubling to constituencies who want to visit. Take the Midway Atoll NWR in the Hawaiian Islands. In November of 2013, due to sequestration cuts, the Service suspended the visitors services program at Midway. Although in the 5 years prior to this suspension, the refuge saw only about 300 annual visitors, those visitors were passionate about their reasons for visiting. Perhaps they wanted to view the more than 3.5 million birds that call the refuge home, or perhaps they wanted to visit the Battle of Midway National Memorial to pay tribute to fallen U.S. soldiers from World War II. Whatever their reason, they wanted to have one of the most unique refuge experiences in the entire System. Congress has asked for a GAO investigation on why the Service suspended its program; yet it's clear that when you cut the budget and lose several positions including a permanent Wildlife Biologist, Park Ranger, and Law Enforcement Officer, there will be ramifications.

Equally troubling is the 15 percent drop in the number of volunteers since fiscal year 2011. At a time when record numbers of Americans are retiring and have the capability to give back, the Service's ability to oversee their efforts has been curtailed. Volunteers provide an additional 20 percent of work on our national wildlife refuges, yet they are being turned away when the System needs them the most.

During these years of challenging budgets, the Refuge System's potential to drive local economies and create jobs is of paramount importance. *Banking On Nature*, a report issued by the FWS in 2013, shows that even during the worst recession since the Great Depression, the Refuge System saw sales and economic output increase 20 percent to \$2.4 billion, visitation increase 30 percent to 46.5 million, average return on investment increase 22 percent to \$4.87 for every \$1 appropriated, and supported jobs increase 23 percent to 35,000.

*Strategic Growth*

The Land and Water Conservation Fund (LWCF) is an essential tool for protecting the integrity of the Refuge System and is the primary funding source for land and conservation easement acquisition by Federal land agencies.

Increasingly, LWCF is being used to conserve working lands through the acquisition of easements that secure conservation protection while leaving the land in private ownership and on the tax rolls. Conservation easements are powerful tools that foster public-private partnerships with ranchers, farmers and foresters to conserve wildlife, habitat and a uniquely American way of life. Innovative landscape-scale initiatives using easements as a primary conservation tool have broad community and State support in New England's Connecticut River Watershed, the Flint Hills of Kansas, the Everglades Headwaters, Montana's Crown of the Continent, and the Dakota Grasslands. These iconic landscapes remain privately managed, generating tax income for local communities, securing our Nation's food, and balancing resource use and resource protection for wildlife.

In many cases, however, land acquisition is required to conserve intact and functional natural habitat. The Refuge System is responsible for safeguarding popu-

lation levels of a range of species, including many species that require very specific habitat conditions, such as nesting grounds for sea turtle and isolated springs for endemic desert fish. Others require multiple habitat types during their life cycle. By acquiring critical habitat areas and linking conserved lands, the Refuge System enhances the overall integrity of the system and strengthens our network of habitat to give wildlife space and time to respond to changes, whether from climate or changing land use patterns.

The Supporters of St. Vincent, NWR calls on Congress to fund LWCF at \$900 million per year, with \$173.8 million provided in fiscal year 2016 to the FWS for conservation easements and refuge in-holdings, including the following projects and those advocated by refuge Friends:

- Everglades Headwaters NWR & Conservation Area (Florida)—\$10 million;
- Cache River NWR (Arizona)—\$3 million;
- Silvio O. Conte NFWR (New Hampshire, Vermont, Massachusetts, Connecticut)—\$3 million;
- Flint Hills Legacy Conservation Area (Kansas)—\$3 million;
- Bear River Watershed Conservation Area (Wyoming, Idaho, Utah)—\$2 million;
- Blackwater NWR (Maryland)—\$3.4 million;
- Clarks River NWR (Kentucky)—\$1 million.

#### *Commitment to Refuge Communities—Refuge Fund*

The Refuge System uses net income derived from permits and timber harvests to make payments to local communities to offset property tax revenue lost when the federally acquired lands are removed from local tax rolls, and relies on congressional appropriations to the Refuge Fund to compensate for the shortfall between revenues and tax replacement obligations. Unfortunately, declining revenues and lack of appropriations have resulted in the Service paying less than 50 percent of its tax-offset obligations since 2001. The negative impact on local communities is felt even more starkly in difficult economic times and severely strains relations between the Federal units and their local community, threatening the goodwill and partnerships that are keystones of successful conservation. Supporters of St. Vincent NWR request \$60 million for the Refuge Fund and thanks Chairman Calvert for his leadership in fiscal year 2015 to pursue a much-needed increase. We also call for a review of the Refuge Revenue Sharing Act of 1935 as amended, and consideration of conversion to a Payment-in-Lieu of Taxes (PILT) program to be consistent with other Federal land management agencies and to provide Refuge communities with more equitable payments.

#### *Partnerships*

With 75 percent of all fish and wildlife species dependent upon private lands for their survival, the Partners for Fish and Wildlife program (Partners Program) is one of the most powerful tools for protecting wildlife where it lives. By building effective partnerships between public agencies and private landowners to conserve America's expansive working landscapes, the Partners Program has implemented nearly 29,000 restoration projects in the past 25 years, restoring over 1 million acres of wetlands, 3 million acres of uplands, and 11,000 miles of streams. The program has been instrumental in the success of such iconic landscape conservation projects as the Rocky Mountain Front and Blackfoot Challenge in Montana and the Flint Hills in Kansas, and is playing a key role in conserving greater sage-grouse habitat in the intermountain west.

The Partners program consistently leverages Federal dollars for conservation, generating nearly \$16 in economic return for every \$1 appropriated for projects. The Refuge Association and the landowner-led Partners for Conservation request \$75 million for fiscal year 2016. Such a funding level would result in an additional \$400 million worth of conservation across the Nation.

The Partners Program provides a bridge between private and public conservation efforts that has been instrumental in the success of large landscape partnerships from Montana to Florida, and is playing a key role in conserving greater sage-grouse habitat in the intermountain west. To this end, we request an additional \$78 million for the Interior agencies to implement sagebrush steppe habitat conservation and monitoring efforts that will leverage \$300 million in Department of Agriculture investments across the West.

#### *Sharing Lessons and Protecting Global Species*

Wildlife species know no international boundaries; therefore conservation must happen globally to ensure populations survive. Many international wildlife agencies look to the Refuge System as the world leader in wildlife and fish conservation. The Service's Wildlife Without Borders Program and Multinational Species Conservation



Funds together support global partnerships to protect marine turtles, tigers and rhinos, great apes and elephants and other iconic species. These programs are particularly important as wildlife face a poaching crisis that is leading species such as rhinos to the brink of extinction. The Refuge Association and student-led Tigers 4 Tigers Coalition request \$11 million for the Multinational Species Conservation Fund in fiscal year 2016.

We believe that with sound conservation policy, adequate funding, and the power of more than 40,000 dedicated volunteers, the Refuge System can fulfill its mission to provide wildlife dependent recreation for Americans and protect the habitat for more than 700 species of birds, 220 species of mammals, 250 reptile and amphibian species and more than 1,000 species of fish.

[This statement was submitted by Lisa Johnston, Port St. Joe, Florida.]

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PREPARED STATEMENT OF THE SUPPORTERS OF ST. VINCENT NATIONAL WILDLIFE RESERVE (NWR)

Dear subcommittee members,

I am writing to you as a board member of the Supporters and as a concerned citizen. I strongly urge you to not take steps to reduce the funding to the U.S. Fish & Wildlife Service. This agency has seen severe budget cuts in the years past and their future is not looking so bright at this moment. This agency works very hard to promote and maintain our Nation's natural treasures. If it were not for a dedicated group of volunteers, USFWS would not even come close to accomplishing their mission. Staff reductions, budget cuts, etc. have had a profound negative effect on the activities and opportunities that this agency provides to our citizens.

The following is an example of what budget cuts have meant to us on a local level. St. Vincent NWR consists mainly of a pristine, uninhabited barrier island on the Gulf coast of the Florida panhandle. The island is approximately 13,000 acres in size. In essence, budget cuts have resulted in only two USFWS employees attempting to maintain and manage this large piece of real estate. There is one other USFWS employee affiliated with the refuge, but this person mainly attends to administrative duties on the mainland. St. Vincent NWR is just one example of the results of reduced funding.

For the sake of maintaining our national treasures and giving our citizens the opportunities they deserve, please do not reduce funding to the U.S. Fish & Wildlife Service! Thank you for your consideration of my request.

[This statement was submitted by Landy Luther, *Board Member*.]

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PREPARED STATEMENT OF THE TANANA CHIEFS CONFERENCE

It is a pleasure to be back to share the Tanana Chiefs Conference's (TCC) priorities with this subcommittee. Thank you for the opportunity to be here.

TCC is a non-profit intertribal consortium of 39 federally recognized tribes located across Alaska's vast interior. TCC serves approximately 13,000 Native American people in Fairbanks and the surrounding rural villages. Our traditional territory and current service area occupy a mostly roadless region that is nearly the size of Texas. It stretches from Fairbanks clear up to the Brooks Range and over to the Canadian border.

Remoteness poses many challenges, but I can assure you TCC meets those challenges every day. When I testified last year, I had just recently been elected president of TCC. The more I understand every aspect of TCC's work, the more I am impressed with what TCC accomplishes every day. Recently, our full board of directors met to develop a new 5-year strategic plan. In the coming years, our highest priorities will include substantially expanding medical care and public safety services, a new emphasis on wellness and prevention, oversight of fish and game management, ensuring responsible economic development, and increasing employment in the villages. We welcome Congress's partnership to help us achieve these goals.

CONTRACT SUPPORT COSTS

It has long been known that TCC provides far better services to our communities than the Bureau of Indian Affairs (BIA) or Indian Health Service (IHS) ever could. Consequently, TCC contracts programs from both the BIA and IHS. Our ability to maximize the results of our self-governance and run robust programs depends on our receiving full contract support costs (CSC) to support these programs.

In the past couple of years, significant strides have been made in this area, and thanks in large part to this subcommittee we are now in an era of full funding. We were delighted that the President's budget estimate for CSC is a very good one. An accurate projection will help ensure that neither the BIA nor IHS feel compelled to redirect program funding to pay for CSC. An accurate CSC estimate is the best way to avoid the unfortunate reprogramming actions which occurred last year.

We are very encouraged by the President's proposal to make CSC mandatory, though we are disappointed that the request is only for 3 years. CSC funding should be a permanent mandatory appropriation. These funds must be added to any contracted program dollars, and making it a permanent mandatory appropriation will end all future efforts by either Agency to avoid funding these required costs. Litigation will be over and certainty will be the order of the day. Such a scheme will allow TCC and the BIA and IHS to focus on the important work of providing healthcare services, public safety services, and the myriad of other services we provide in our communities. We therefore hope that the subcommittee members will support a permanent mandatory appropriation for CSC.

Finally, we ask that the subcommittee direct IHS to finalize CSC payments within 60 days of the close of the contract year. IHS recently developed a scheme to continue reconciling CSC payments for up to 5 years. This ridiculous plan is not only unnecessary; it will also divert scarce resources away from service delivery. This will benefit neither IHS nor the tribal organizations, and we therefore ask that the subcommittee intervene to stop IHS from pursuing its current plan. All our other grants are closed out monthly; why should IHS and BIA compact funds be any different?

#### IHS BUDGET

TCC was very pleased to see that the President's budget contains a 9 percent increase over 2015 enacted levels. These additional funds are vital to addressing the critical need for medical services for Native Alaskans and we hope the subcommittee is able to find the funds to meet these targets.

Similarly, TCC is happy to report that \$70 million of those increases are targeted to Purchased and Referred Care (PRC). These funds are used to buy healthcare when a tribal organization or IHS cannot provide the services. As we reported to you last year, the demand on PRC dollars has increased as healthcare costs, especially provider fees, have increased. The increase this year will provide \$44 million for inflation and \$25 million for program increases. These dollars will provide much needed relief to PRC programs across the country and especially for TCC.

But TCC was disappointed to see that the President's budget contains no increase for the Domestic Violence and Prevention Initiative (DVPI). These funds support efforts to reduce the incidence of domestic violence, which affects Native Alaskan women at a much higher rate than other populations. The statistics are not new. The Indian Law and Order Commission's report made clear just how bad the situation was: Women in tribal villages and Native communities in Alaska report rates of domestic violence up to 10 times higher than in the rest of the United States. Physical assault victimizations rates are 12 times higher.

TCC is encouraged that the President requested additional funding to combat domestic violence in the Department of Justice's budget, but in order to adequately address domestic violence in Native communities, the DVPI program funds also need to be increased. We must do more to help victims of domestic violence, and we need Congress's help to do so. We request that you add funds to this very successfully and urgently needed program.

#### BIA BUDGET

TCC was also pleased to see that the President's BIA budget is also higher than the enacted 2015 levels—12 percent higher in fact. This increase is desperately needed to address the effect of years of flat budgets. Again, we hope this subcommittee will be able to fund these increases.

Two of these increases came in programs that TCC highlighted last year as requiring additional funding: Probate in Trust and Rights Protection. Probate in Trust would receive a 7.3 percent increase, and this will help TCC keep the process of estate distribution flowing smoothly. This, in turn, is important for ensuring residents of our communities are able to use their land—whether for a home or other endeavors. This promotes self sufficiency in our communities. The Rights Protection program would receive a 13.3 percent increase. This program provides support to tribes in defending their trust land (such as allotments) and other trust resources through legal actions. Like the Probate in Trust program, this program is integral to protecting our ability to use our land. Both of these programs are acutely in need of

additional funds and we therefore urge the subcommittee to fund the requested increases.

TCC was disappointed to see that funding for the Environmental Quality line remains essentially flat. In fact, the .9 percent increase is not even enough to cover inflation and thus represents a decrease in the effectiveness of the current appropriation. As we reported to this subcommittee last year, these funds support archaeological investigation and approval that is required before any development is done on our lands. As such, these funds both help us develop our land resources responsibly while also making sure that our cultural resources are protected. The funding provided, however, is simply not enough to meet the demand for these services. We encourage the subcommittee to add funds to this program to help TCC responsibly develop our lands.

TCC has recently embarked on a coordinated campaign to protect its subsistence resources. These resources provide not only critical nutritional value to our communities but also are important elements of our culture and traditions. We were pleased to see that the President's budget includes \$40 million for Supporting Tribal Resilience in Indian Country. This program will allow tribes and tribal organizations to prepare for climate changes, which will impact our fish and wildlife services. Many of these impacts will hit Alaska especially hard, and we appreciate the additional funding to prepare for the challenges ahead. In particular, we appreciate the increase for the Tribal Management and Development Program, which allows tribes and tribal organizations to manage their own fish and wildlife resources.

Finally, TCC remains committed to ensuring public safety in our communities. As the Indian Law and Order Commission's report made clear, there is a lot of work to be done to ensure public safety in Alaska's rural communities. Alaska is one of six States, called Public Law 280 States, in which jurisdiction over crimes in Native communities rests mainly with the States. The BIA doesn't have enough funding to go around and so it prioritizes funding public safety efforts in non Public Law 280 States on the assumption that Public Law 280 States are investing sufficiently in public safety and law enforcement in Native and rural communities. But this is simply not so. The Alaska Department of Public Safety, which has primary responsibility for providing law enforcement in rural Alaska, provides only 1.0 to 1.4 field officers for every one million acres. This means that at least 75 communities in Alaska lack any law enforcement presence at all. In most Alaska villages, the tribal courts are the only meaningful judicial voice for anything other than the most serious and violent of crimes.

The President's budget moves in the right direction by providing \$15 million in its Supporting Indian Families and Protecting Indian Country program. As part of this program, the President's budget requests \$4 million for Law Enforcement Special Initiatives and \$5 million for tribal courts. While this is a good first step, TCC encourages this subcommittee to substantially increase these amounts for tribes in Public Law 280 States. In order to truly address the issue of public safety in Native communities, we must have additional resources.

#### SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

We also invite all members to support the Tribal Behavioral Health Grant Program. This program is administered by the Substance Abuse and Mental Health Services Administration (SAMSHA) and would provide funds to tribal organizations to reduce the shocking rates of substance abuse and suicide in their communities. According to the Indian Law and Order Commission's report, Alaska Natives experience suicide at four times the national average, and suffer the highest rates of alcohol abuse. The Tribal Behavioral Health Grant Program will provide desperately needed funds to combat these problems.

Thank you again for the opportunity to testify on behalf of TCC.

[This statement was submitted by Victor Joseph, *President and Chairman*.]

#### PREPARED STATEMENT OF THE THEATRE COMMUNICATIONS GROUP

Ms. Chairman and distinguished members of the subcommittee, Theatre Communications Group—the national service organization for the American theatre—is grateful for this opportunity to submit testimony on behalf of our 493 not-for-profit member theatres across the country and the nearly 35 million audience members that the theatre community serves. We urge you to support funding at \$155 million for the National Endowment for the Arts for fiscal year 2016.

Indeed, the entire not-for-profit arts industry stimulates the economy, creates jobs and attracts tourism dollars. The not-for-profit arts generate \$135.2 billion annually

in economic activity, support 4.13 million jobs and return \$9.59 billion in Federal income taxes. Art museums, exhibits and festivals combine with performances of theatre, dance, opera and music to draw tourists and their consumer dollars to communities nationwide. Federal funding for the arts creates a significant return, generating many more dollars in matching funds for each Federal dollar awarded, and is clearly an investment in the economic health of America. In an uncertain economy where corporate donations and foundation grants to the arts are diminished, and increased ticket prices would undermine efforts to broaden and diversify audiences, these Federal funds simply cannot be replaced. Maintaining the strength of the not-for-profit sector, along with the commercial sector, will be vital to supporting the economic health of our Nation.

Our country's not-for-profit theatres develop innovative educational activities and outreach programs, providing millions of young people, including "at-risk" youth, with important skills for the future by expanding their creativity and developing problem-solving, reasoning and communication abilities—preparing today's students to become tomorrow's citizens. Our theatres present new works and serve as catalysts for economic growth in their local communities. These theatres also nurture—and provide artistic homes for the development of—the current generation of acclaimed writers, actors, directors and designers working in regional theatre, on Broadway and in the film and television industries. At the same time, theatres have become increasingly responsive to their communities, serving as healing forces in difficult times, and producing work that reflects and celebrates the strength of our Nation's diversity.

Here are some recent examples of NEA grants and their impact:

Thanks to a \$20,000 grant from the NEA, Perseverance Theatre (PT) in Douglas, Alaska, was able to present the world premiere production of "Rush at Everlasting" by Alaskan playwright Arlitia Jones. The play follows an unlikely pair of women as they plot a bank heist against the backdrop of the Great Depression. Presented first as part of the theater's mainstage season in Juneau, the production also transferred to Anchorage as part of the third full season of programming at the Alaska Center for the Performing Arts. Perseverance Theatre has grown into Alaska's largest professional theatre, serving over 17,000 artists, students and audiences annually. The theatre is also enhancing its education and training programs for youth and adults, providing learning opportunities on the Douglas stage and as the resident theatre at the University of Alaska Southeast. Perseverance is committed to engaging artistic work which speaks directly to the Alaskan experience. Perseverance was born as a grassroots organization, firmly planted in the community and State. PT occupies a unique place in the heart of Juneau's artistic, cultural and social life. The theatre is committed to developing artists, volunteers, audiences, and plays reflective of the Alaskan community, as part of living its mission. As programming continues in Anchorage, Perseverance is becoming a truly Alaskan regional theatre.

With a \$10,000 Arts Works grant from the NEA, Southern Rep will produce *Boudin: The New Orleans Music Project*. This project asks music lovers from all over the world "How has New Orleans Music Saved Your Soul?" The play's dedicated Web site, [boudinmusicproject.com](http://boudinmusicproject.com), features the answers to the prompt via photos, narratives, film and audio recordings. These first-hand stories will culminate in a funny, poignant and powerful theatre production that celebrates the music, art, magic and history of the city. Presented in partnership with esteemed WWOZ 90.7 FM Radio, *Boudin* is a mash-up of local visual art, storytelling, live New Orleans music and real stories. The NEA funding helps support the creation of this new work with 21 performances taking place during the city's historic Jazz Fest and it will be seen by up to 3,000 audience members.

Oregon Children's Theatre Company received a \$10,000 grant from the NEA which enabled the theatre to present "Timmy Failure: Mistakes Were Made," an adaptation by playwright Finegan Kruckemeyer of an illustrated comic novel by Stephan Pastis. The book tells the story of Timmy Failure, a bumbling hero, his lazy polar bear partner, and his detective agency—Total Failure, Inc. The stage adaptation includes multimedia technology. The set was designed for remounting in non-traditional spaces, to accommodate potential touring beyond the premiere. Oregon Children's Theatre's mission is to advance growth, development and creativity through exceptional theater experiences. The theatre does this by presenting professional live theater for youth at a price affordable to schools and families. By introducing young people to the wonders of live theater, OCT enriches lives today while helping children develop a lifetime appreciation for the arts. Oregon Children's Theatre's audience is comprised primarily of school groups from 17 Oregon and four

Washington counties. School attendance averages more than 75,000 annually, with ticket prices ranging from \$6–\$8.

Weston Playhouse Theatre in Weston, Vermont, was awarded a \$20,000 NEA grant to support a production of Annie Baker's adaptation of "Uncle Vanya." The theatre also offered a series of engagement and learning opportunities, including a Teachers Workshop, performance and curriculum guides, director's talks and audience talkbacks. The production was a fresh take on a modern classic by Anton Chekhov and adapted by Annie Baker. For seven decades, in the heart of Vermont's Green Mountains, the Weston Playhouse Theatre Company has done the improbable—created and sustained an acclaimed professional theatre in a village of 550 people. Now, strengthened by its deep roots in Vermont and in the American theatre landscape, the Company is taking the most important step in its history: to create a nationally recognized center for the development of the theatre arts. The Campaign for the Weston Theatre will create an incubator for the Theatre Arts in Weston—a place where playwrights, directors, composers and librettists will come to work on their new works in the quiet rural environment away from the distractions of the city. The Weston Playhouse is now an award-winning regional theatre nationally known for its multi-stage summer festival and its year-round Education and New Works Programs.

These are only a few examples of the kinds of extraordinary programs supported by the National Endowment for the Arts. Indeed, the Endowment's Theatre Program is able to fund only 50 percent of the applications it receives, so 50 percent of the theatres are turned away because there aren't sufficient funds. Theatre Communications Group urges you to support a funding level of \$155 million for fiscal year 2016 for the NEA, to maintain citizen access to the cultural, educational and economic benefits of the arts, and to advance creativity and innovation in communities across the United States.

The arts infrastructure of the United States is critical to the Nation's well-being and its economic vitality. It is supported by a remarkable combination of government, business, foundation and individual donors. It is a striking example of Federal/State/private partnership. Federal support for the arts provides a measure of stability for arts programs nationwide and is critical at a time when other sources of funding are diminished. Further, the American public favors spending Federal tax dollars in support of the arts. The NEA was funded at \$146 million in the fiscal year 2015 budget; however, it has never recovered from a 40 percent budget cut in fiscal year 1996 and its programs are still under-funded. We urge the subcommittee to fund the NEA at a level of \$155 million to preserve the important cultural programs reaching Americans across the country.

Thank you for considering this request.

[This statement was submitted by Laurie Baskin, *Director of Research, Policy & Collective Action.*]

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#### PREPARED STATEMENT OF THE THURGOOD MARSHALL COLLEGE FUND

Thank you Chairwoman Murkowski and Ranking Member Udall and the entire subcommittee for the opportunity to submit testimony in support of fiscal year 2016 funding for the Department of Interior Historic Preservation Fund (HPF). My name is Johnny C. Taylor, Jr., president and CEO of the Thurgood Marshall College Fund (TMCf). The Thurgood Marshall College Fund supports and represents more than 300,000 students attending the country's 47 publically supported Historically Black Colleges and Universities (HBCUs), medical schools and law schools. More than 80 percent of all students enrolled at HBCUs attend TMCf schools. TMCf was established in 1987 under the leadership of Dr. N. Joyce Payne.

As you deliberate the Department of Interior fiscal year 2016 budget, TMCf requests that the subcommittee preserve the original HBCU designated Historic Preservation Fund and restore this account to the fiscal year 2009 funding level. The HBCU Historic Preservation Fund account has not received funding under the regular appropriations process in several years. It was last funded in 2009 as part of the American Recovery and Reinvestment Act at a level of \$15 million.

The administration's fiscal year 2016 budget proposal includes \$90 million for the National Park Service Historic Preservation Fund. Under this fund, \$50 million is proposed for a Civil Rights initiative to preserve historic projects nationwide that are connected to the Civil Rights era and the African American experience. Unfortunately, a mere \$2.5 million of the \$50 million is designated for the HBCU Historic Preservation Fund.

There are more than 100 HBCUs located primarily in the southeastern United States, the District of Columbia and the U.S. Virgin Islands. Many HBCUs are eco-

nominically fragile and have less funding and fewer resources to address the critical rehabilitation needs of buildings on their campuses. The HBCU Historic Preservation Fund provides assistance to restore and rehabilitate structures on HBCU campuses considered to be the most historically significant and physically threatened. TCMF supports the effort to commemorate and preserve sites related to the Civil Rights era and African American heritage, and we request that the subcommittee simultaneously appropriate adequate funding for the HBCU Historic Preservation Fund to stabilize and revitalize our most precious assets on HBCU campuses.

In the event that all funding is grouped together, TCMF strongly urges the subcommittee to allocate a minimum of \$15 million as opposed to \$2.5 million for HBCUs under this newly proposed focus on restoring sites connected to the Civil Rights era and the African American experience.

Thank you.

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#### PREPARED STATEMENT OF THE TRUST FOR PUBLIC LAND

Chairman Murkowski, Ranking Member Udall, and distinguished members of the Interior Subcommittee:

Thank you very much for the opportunity to submit testimony on behalf of The Trust for Public Land in support of programs under your jurisdiction for the fiscal year 2016 appropriations process. The Trust for Public Land (TPL) is a national nonprofit land conservation organization working to protect land for people in communities across the Nation. We are extremely grateful for the support members of this subcommittee and other conservation leaders in Congress have shown for Federal conservation programs during these challenging fiscal times. We recognize that the subcommittee will again face enormous challenges in meeting the broad range of priority needs in the Interior and Environment bill this year. Our work in many of your States and elsewhere around the country shows that there is tremendous support for conservation and access to recreation at the local, State and Federal level, and the programs under your jurisdiction play a critical role in bringing those community visions to reality. Thank you for your support.

Federal funding is an absolutely critical part of the conservation toolbox and provides manifold benefits to the American people. Given the limited public conservation funding at all levels of government, TPL works to leverage Federal conservation dollars, bringing to bear private philanthropic support as well as State and local funding to forge solutions to sometimes complex conservation funding challenges. The major programs under your jurisdiction that we count on year in and year out are the entire suite of Land and Water Conservation Fund (LWCF) programs—including the Bureau of Land Management (BLM), U.S. Fish and Wildlife Service (FWS), National Park Service (NPS) and U.S. Forest Service (USFS) acquisitions, NPS State and local grants, the Forest Legacy Program, the Cooperative Endangered Species Conservation Fund and the American Battlefield Protection Program—as well as the USFWS North American Wetlands Conservation Act and the USFS Community Forest Program.

#### *Land and Water Conservation Fund*

The Land and Water Conservation Fund (LWCF) celebrated its 50th anniversary last year and is up for reauthorization this year. Over those 50 years, LWCF has been the cornerstone that sustains our Federal public lands heritage. Today, it remains a compelling and urgently needed program that we urge the subcommittee to strongly support. LWCF does not rely at all on taxpayer dollars. Instead, revenues generated from energy development and natural resource depletion are used for the protection of other natural resources such as parks, open space, and wildlife habitat for the benefit of current and future generations. We (and, polls show, most of America) believe it is both logical and necessary that this principle—using a small percentage of annual Outer Continental Shelf (OCS) receipts (which average over \$6 billion) as a conservation offset—be fully honored.

Investments in conservation and outdoor recreation make sound economic sense, too. The Outdoor Industry Association estimates that active outdoor recreation contributes \$646 billion annually to the U.S. economy, supports nearly 6.1 million jobs across the country, and generates \$39.9 billion in annual national tax revenue.

For these and many other reasons we strongly support the fiscal year 2016 President's budget proposal to fully fund the Land and Water Conservation Fund at \$900 million, with \$400 million from discretionary sources and \$500 million in mandatory funds, for the various component programs funded under LWCF. In the fiscal year 2016 bill, we respectfully request that you allocate at least \$400 million in discretionary funding as the budget proposes to support essential community-based con-

servation and outdoor recreation needs. We recognize that the mandatory funding request requires additional legislative action, and we appreciate the support of the subcommittee as that process moves forward. Continued annual investment in the entire suite of LWCF programs as proposed in the budget is essential and we are ready to work with the subcommittee to ensure that dollars invested are well spent on our Nation's most urgent needs. We greatly appreciate the key role your subcommittee plays in ensuring that program dollars are used for high-priority strategic investments and appreciate that in challenging budgetary times you have maintained a commitment to this bipartisan program.

We also support efforts to improve budgeting for forest fire management that will provide Federal agencies the means to fight fires without raiding other important Federal programs, like LWCF. We look forward to working with you to that end.

LWCF's programs bring specific and complementary conservation benefits to the American public. These key programs are:

*BLM/FWS/NPS/USFS Land Acquisitions.*—Every year tens of millions of Americans, as well as visitors to our country, enjoy our Federal public lands—national parks, forests, wildlife refuges and BLM conservation lands. Recent data shows that National Park Service units were visited by larger numbers than in the past 20 years. Strategic inholding and other acquisitions in these Federal areas through LWCF ensure recreation access and nature education; foster vital economic growth; protect clean water and other community resources; enhance the incomparable natural and scenic treasures that belong to all Americans; and frequently resolve complex land-use conflicts and produce management savings. Without adequate funding, the unfortunate alternative often is an irretrievable loss of public use and enjoyment of these areas and irreversible damage to the resources we all care about.

This is precisely the choice for numerous outdoor recreation and natural resource protection projects budgeted in fiscal year 2016, including important recreation lands along the Rio Grande in New Mexico as part of the Rio Grande del Norte National Monument, and checkerboard properties in the Tahoe and Eldorado national forests in California. The Trust for Public Land is working in these and other areas identified in the President's budget and looks forward to working with the subcommittee as you consider these critical needs.

*U.S. Forest Service/Forest Legacy Program.*—For 25 years, the Forest Legacy Program has been an extraordinarily effective program, providing assistance to States and localities seeking to preserve important working forests. It has protected nearly 2.5 million acres of forestland and has leveraged more than the required 25 percent match. For fiscal year 2016, the President's budget recommends projects that provide multiple public benefits through forest protection—clean water, wildlife protection, climate change adaptation and mitigation, public access to recreation, economic development and sustainable forestry. We urge your continued support for sustained investment in this strategic and successful program. Included in the fiscal year 2016 budget proposal are numerous projects where TPL is working with States, landowners and other partners to protect recreation access for snowmobilers and hikers, ensure jobs in the woods, buffer important Federal and State conservation areas and provide strategic land conservation that fits a larger goal. Among these are the program's top priority project in Montana, which will protect the recreational access, a municipal water supply and critical wildlife habitat near Whitefish and Columbia Falls; a 1,533 acre property along East Moraine Wallowa Lake in Oregon; a 6,700 acre working forest project on the Olympic Peninsula along Puget Sound in Washington, and a 23,600 acre working forest project in Maine that represents 24 percent of the State's entire maple syrup production and about 4 percent of the entire national output.

*U.S. Fish and Wildlife Service/Cooperative Endangered Species Conservation Fund.*—We are grateful for the subcommittee's historic support for U.S. Fish and Wildlife Service grant programs, including the Cooperative Endangered Species Conservation Fund (CESCF), which leverages State and private funds and has protected threatened and endangered species habitat across the Nation. The Habitat Conservation Plan (HCP) land acquisition program within CESCF has been critical to communities like Riverside County, California and Whitefish, Montana where landowners and public wildlife managers are working together through integrated HCP's to foster species recover and appropriate economic development. In TPL's work with these and other communities, we have seen how essential CESCF Federal cost-share dollars are to species conservation and local economies. The Recovery Land Acquisition (RLA) program under CESCF aids species where there is no HCP and where USFWS recovery plans lay out goals for Federal, State, local, and private, partners.

*National Park Service/State and Local Assistance grants.*—Since 1965, the State and local assistance grant program has provided over \$4 billion in Federal funds for more than 42,000 projects in States and local communities for park protection and development of recreation facilities. This program reaches deep into communities across our Nation, supporting citizen-led efforts to conserve places of local importance and opportunities for close-to-home recreation. As TPL continues our work with many of these communities to meet these needs, we hope the subcommittee will fully fund the administration's discretionary request for stateside grants and that a mandatory full-funding LWCF solution will provide much-needed additional funding for this important program. We also strongly support the allocation of a portion of LWCF State and local assistance funds to the nationwide competitive grants program—the Outdoor Recreation Legacy Partnership Program—which was included in the fiscal year 2014 and fiscal year 2015 omnibus appropriations bills at \$3 million and is proposed in the President's fiscal year 2016 budget at \$5 million. Through our Parks for People Program, The Trust for Public Land works with local communities to create, build, design, fund and care for parks, trails and playgrounds. At present, there is no other dedicated source of funding to support the desire by cities large and small, all across the country, to improve quality of life for their residents and support economic development. While \$3 million is just a drop in the bucket compared to overall city park needs, we are deeply appreciative of the subcommittee's leadership in setting aside these funds and hope you will increase that level in fiscal year 2016. The first grant round generated substantial interest in communities across the Nation—we are a partner with Atlanta, Georgia; Bridgeport, Connecticut; and Denver, Colorado in using first-round grant funds—and we believe that this funding will leverage substantial non-Federal match and make a difference in communities across the Nation.

*National Park Service/American Battlefield Protection Program.*—We applaud the subcommittee for its longstanding commitment to this important program, which complements acquisitions of threatened Civil War battlefield properties in national park units with non-Federal land protection of key sites from this critical moment in our Nation's history. Congress recently expanded the program to include protection of non-Federal Revolutionary War and War of 1812 battlefield sites, so the allocation of LWCF funds for the ABPP is needed more than ever. We are using ABPP funds at present to protect threatened properties on Missionary Ridge in Chattanooga, site of a critical Civil War battle.

*National Park Service/Urban Park and Recreation Fund.*—The President's budget for fiscal year 2016 proposes \$25 million in mandatory funding for the Urban Park and Recreation Recovery Program (UPARR). Funding UPARR in fiscal year 2016 would enable the National Park Service to issue competitive grants for improvements to parks and playgrounds in the neediest cities throughout the country. From 1978 to 2002, UPARR grants assisted cities to make those improvements in 380 communities in 43 States as well as the District of Columbia and Puerto Rico. Grants have gone to places as diverse as Providence, Rhode Island; San Francisco, California; Riverside County, California; Knoxville, Tennessee; Springfield, Missouri; Meridian, Mississippi; and Portland, Maine. The restoration of UPARR funding in the fiscal year 2016 Interior and Environment Appropriations bill would be a sound investment in the health and well-being of our Nation's children.

Beyond LWCF, we urge the subcommittee to provide adequate funding to other conservation programs including:

*U.S. Fish and Wildlife Service/North American Wetlands Conservation Act.*—We respectfully request your support for program funding at the enacted and proposed level of \$34.1 million in fiscal year 2016. The North American Wetlands Conservation Act (NAWCA) provides much-needed matching grants to carry out wetlands conservation, restoration and enhancement projects. Our most recent grant through the NAWCA program will help ensure protection of a 215-acre property in the growing suburbs of Portland, Maine, including a 46 acre pond that provides habitat for waterfowl and migratory birds. NAWCA is a highly-leveraged program with a substantial record of success and is another important Federal conservation tool to support critical wetland habitat.

*U.S. Forest Service/Community Forest Program.*—We urge your continued support for the Community Forest Program (CFP), which complements existing conservation programs by helping communities and tribes identify, purchase, and manage locally important forestlands that are threatened with development. These community forests can be tailored to local needs, from timber revenue for municipal or county budgets to recreation access and outdoor education. Every Federal dollar from CFP is evenly matched by funding from State, local, and private sources. The Forest Service has now approved 21 grants to innovative local and tribal projects



that support local community needs—including in California, Kentucky, Montana, Oregon, and Vermont—and the program has generated significant interest from local entities concerned about the future of their close-to-home forests. Given the strong interest in community forests from coast to coast, we urge you to include \$5 million in the fiscal year 2016 bill for this innovative local conservation tool.

The programs highlighted here are critical to the future of conservation at the local, State and Federal levels; reflect the continued demand on the part of the American people for access to outdoor recreation; and help sustain our economy and reflect the true partnership that exists in Federal conservation efforts. As ever, we are deeply thankful for the subcommittee's recognition of the importance of these programs and urge you to maintain robust funding for them in the fiscal year 2016 Interior, Environment and Related Agencies bill. Thank you for your help and support, and for your consideration of our requests.

[This statement was submitted by Kathy DeCoster, *Vice President and Director of Federal Affairs*.]

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#### PREPARED STATEMENT OF THE USGS COALITION

##### SUMMARY

The USGS Coalition appreciates the opportunity to provide testimony about the fiscal year 2016 budget for the United States Geological Survey (USGS). The USGS Coalition supports the administration's budget request of \$1.2 billion for the USGS. The requested funding would allow the agency to sustain current efforts and make strategic investments that will produce the knowledge and decision-support tools needed by decision-makers across the country.

The USGS is uniquely positioned to provide information and inform responses to many of the Nation's greatest challenges. Few modern problems can be addressed by a single scientific discipline. The USGS is an agency that has a unique capacity to deploy truly interdisciplinary teams of experts to gather data, conduct research, and develop integrated decision support tools that improve ecosystem management, ensure accurate assessments of our water quality and quantity, reduce risks from natural and human-induced hazards, deliver timely assessments of mineral and energy resources, and provide emergency responders with accurate geospatial data and maps.

The USGS Coalition is an alliance of over 70 organizations united by a commitment to the continued vitality of the United States Geological Survey to provide critical data and services. The Coalition supports increased Federal investment in USGS programs that underpin responsible natural resource stewardship, improve resilience to natural and human-induced hazards, and contribute to the long-term health, security, and prosperity of the Nation.

##### ESSENTIAL SERVICES FOR THE NATION

Established by Congress as a branch of the Department of the Interior in 1879, the United States Geological Survey has a national mission that extends beyond the boundaries of the Nation's public lands to positively impact the lives of all Americans. The agency plays a crucial role in protecting the public from natural hazards, assessing water quality and quantity, providing geospatial data, and conducting the science necessary to manage our Nation's biological, mineral, and energy resources. Through its offices across the country, the USGS works with partners to provide high-quality research and data to policymakers, emergency responders, natural resource managers, civil and environmental engineers, educators, and the public. A few examples of the USGS' valuable work are provided below.

The Survey collects scientific information on water availability and quality to inform the public and decision makers about the status of freshwater resources and how they are changing over time. During the past 130 years, the USGS has collected streamflow data at over 21,000 sites, water-level data at over 1,000,000 wells, and chemical data at over 338,000 surface-water and groundwater sites. This information is needed to effectively manage freshwaters—both above and below the land surface—for domestic, public, agricultural, commercial, industrial, recreational, and ecological purposes.

The USGS plays an important role in reducing risks from floods, wildfires, earthquakes, tsunamis, volcanic eruptions, landslides, and other natural hazards that jeopardize human lives and cost billions of dollars in damages every year. Seismic networks and hazard analysis are used to formulate earthquake probabilities and to establish building codes. USGS monitors volcanoes and provides warnings about impending eruptions that are used by aviation officials to prevent planes from flying

into volcanic ash clouds. Data from the USGS network of stream gages enable the National Weather Service to issue flood and drought warnings. The bureau and its Federal partners monitor seasonal wildfires and provide maps of current fire locations and the potential spread of fires. USGS research on ecosystem structure informs fire risk forecasts.

USGS assessments of mineral and energy resources—including rare earth elements, coal, oil, unconventional natural gas, and geothermal—are essential for making decisions about the Nation's future. The Survey identifies the location and quantity of domestic mineral and energy resources, and assesses the economic and environmental effects of resource extraction and use. The agency is mapping domestic supplies of rare earth elements necessary for widespread deployment of new energy technologies, which can reduce dependence on foreign oil. The USGS is the sole Federal source of information on mineral potential, production, and consumption.

USGS science plays a critical role in informing sound management of natural resources on Federal and State lands. The USGS conducts research and monitoring of fish, wildlife, and vegetation—data that informs management decisions by other Interior bureaus regarding protected species and land use. Ecosystems science is also used to control invasive species and wildlife diseases that can cause billions of dollars in economic losses. The Survey provides information for resource managers as they develop adaptive management strategies for restoration and long-term use of the Nation's natural resources in the face of environmental change.

Research conducted by the USGS is vital to predicting the impacts of land use and climate change on water resources, wildfires, and ecosystems. The Landsat satellites have collected the largest archive of remotely sensed land data in the world, allowing for access to current and historical images that are used to assess the impact of natural disasters and monitor global agriculture production. The USGS also assesses the Nation's potential for carbon sequestration. Other Interior bureaus use USGS research on how climate variability affects fish, wildlife, and ecological processes to inform natural resource management decisions.

#### FUNDING

Over the years, Congress has worked in a bipartisan fashion to provide essential funding to the USGS. These efforts have paid dividends and helped the USGS provide answers to the challenging questions facing decision-makers across the country.

Through careful management and deferring staff travel and training, the USGS has survived the recent budget cuts resulting from sequestration. Staff training and participation in scientific meetings, however, are necessary investments that help USGS maintain its technical capacity. It is through exchanges at scientific meetings and workshops that new ideas emerge and scientific analyses are shared, challenged by colleagues, and honed prior to submitting research for publication in peer-reviewed journals. We encourage Congress to work with the USGS to ensure that scientists are able to fully participate in scientific meetings.

As a science agency, much of the USGS budget is dedicated to salaries and equipment that must be maintained and updated to ensure the continuity of data acquisition and that the data gathered are reliable and available for future scientific investigations. We believe that the leadership of the USGS is doing all it can, and has been for a number of years, to contain costs while continuing to deliver high quality science.

#### CONCLUSION

We recognize the financial challenges facing the Nation, but losing irreplaceable data can increase costs to society today and in the future. Data not collected and analyzed today is data lost forever. This is particularly significant for environmental monitoring systems, where the loss of a year's data can limit the scope and reliability of long-term dataset analysis. The USGS Coalition requests that Congress work to provide \$1.2 billion for fiscal year 2016.

The USGS Coalition appreciates the subcommittee's past leadership in strengthening the United States Geological Survey. Thank you for your thoughtful consideration of this request.

[This statement was submitted by Dr. Robert Gropp, *Chairman*.]

#### PREPARED STATEMENT OF THE PACIFIC SALMON COMMISSION

Mr. Chairman, and honorable members of the subcommittee, I am Ron Allen, the tribal commissioner and chair for the U.S. Section of the Pacific Salmon Commission (PSC). The U.S. Section prepares an annual budget for implementation of the Pacific Salmon Treaty. The integrated budget details program needs and costs for tribal, Federal, and State agencies involved in the treaty. Tribal participation in the treaty process is funded in the Bureau of Indian Affairs budget.

In order to meet the increased obligations under the 2009–2018 Pacific Salmon Treaty Agreement the 25 affected tribes identified costs at \$4,800,000 for tribal research projects and participation in the U.S.-Canada Pacific Salmon Treaty process, an increase of \$520,000 over fiscal year 2015 enacted level. The funding for tribal participation in the Pacific Salmon Treaty is a line item in the BIA's budget under Rights Protection Implementation.

Under U.S. Fish and Wildlife Service programs, the U.S. Section identified needs as follows:

USFWS participation in the treaty process is funded at \$379,919 for fiscal year 2015. The Pacific States Marine Fisheries Commission's Regional Mark Center (PSMFC) receives support from the USFWS to provide data services to the PSC process at a level of \$225,435 for fiscal year 2015. The total for the two programs is \$605,354. This represents a decrease from fiscal year 2010 levels, which were \$417,673 for USFWS and \$315,000 for PSMFC, resulting in total of \$732,673. The U.S. Section recommends restoring both programs to previous funding levels, which is an increase of \$127,319. This funding level allows the Mark Center to maintain the same level of service to the U.S. Section.

This base funding for the U.S. Fish and Wildlife Service supports critically important on-going work. The funding for Pacific States Marine Fisheries Commission's Regional Mark Center is utilized to meet treaty requirements concerning data exchange with Canada. These program recommendations are integrated with those of the State and Federal agencies to avoid duplication of effort and provide for the most efficient expenditure of scarce funds.

Funding to support activities under the Pacific Salmon Commission comes from the Departments of Interior, State, and Commerce. The U.S. Section will provide a cross-cut budget summary to the subcommittee. Adequate funding from all three Departments is necessary for the U.S. to meet its treaty obligations. All of the funds are needed for critical data collection and research activities directly related to the implementation and are used in cooperative programs involving Federal, State, and tribal fishery agencies and the Department of Fisheries in Canada. The commitment of the United States is matched by the commitment of the Government of Canada.

The U.S. Section of the PSC is recommending an adjustment to support the work carried out by the 24 treaty tribes' that participate in the implementation of the treaty. Programs carried out by the tribes are closely coordinated with those of the States and Federal agencies. Tribal programs are essential for the United States to meet its international obligations. Tribal programs have taken on additional management responsibilities due to funding issues with State agencies. All participating agencies need to be adequately supported to achieve a comprehensive U.S. effort to implement the treaty.

The U.S. Fish and Wildlife Service activities are necessary so the U.S. can maintain the critical database to implement the treaty. The work of the Regional Mark Processing Center includes maintaining and updating a coastwide computerized information management system for salmon harvest and catch effort data as required by the treaty. This work has become even more important to monitor the success of management actions at reducing impacts on ESA-listed salmon populations. Canada has a counterpart database. The U.S. database will continue to be housed at the Pacific States Marine Fisheries Commission.

Mr. Chairman, the United States and Canada established the Pacific Salmon Commission, under the Pacific Salmon Treaty of 1985, to conserve salmon stocks, provide for optimum production of salmon, and to control salmon interceptions. After more than 20 years, the work of the Pacific Salmon Commission continues to be essential for the wise management of salmon in the Northwest, British Columbia, and Alaska. For example, upriver bright fall Chinook salmon from the Hanford

Reach of the Columbia River are caught in large numbers in Alaskan and Canadian waters. Tribal and non-tribal fishermen harvest sockeye salmon from Canada's Fraser River in the Strait of Juan de Fuca and in Puget Sound. Canadian trollers off of the west coast of Vancouver Island catch Washington coastal Coho salmon and Puget Sound Chinook salmon. In the Northern Boundary area between Canada and Alaska, fish from both countries are intercepted by the other country in large numbers. The Commission provides a forum to ensure cooperative management of salmon populations. In 2008, the U.S. and Canada successfully concluded lengthy negotiations to improve this management, including the adjustments to the coastwide abundance-based management regime for Chinook salmon and a framework for abundance based management for southern Coho populations. The agreement is intended to last through 2018. The U.S. and Canada completed a revised Fraser River sockeye and pink chapter in 2013. The U.S. and Canada are preparing to negotiate revisions to the current agreements. Based on past experience, the negotiation process will require additional meetings to reach a successful conclusion. It is important to have adequate resources for U.S. participants to negotiate the best outcome.

Before the treaty, fish wars often erupted with one or both countries overharvesting fish that were returning to the other country, to the detriment of the resource. At the time the treaty was signed, Chinook salmon were in a severely depressed state as a result of overharvest in the ocean as well as environmental degradation in the spawning rivers. Under the treaty, both countries committed to rebuild the depressed runs of Chinook stocks, and they recommitted to that goal in 1999 when adopting a coastwide abundance based approach to harvest management. Under this approach, harvest management will complement habitat conservation and restoration activities being undertaken by the States, tribes, and other stakeholders in the Pacific Northwest to address the needs of salmon listed for protection under the Endangered Species Act. The 2008 Chinook agreement continues these commitments. The combination of these efforts is integral to achieving success in rebuilding and restoring healthy, sustainable salmon populations.

Finally, you should take into account the fact that the value of the commercial harvest of salmon subject to the treaty, managed at productive levels under the treaty, supports the infrastructure of many coastal and inland communities. The value of the recreational fisheries, and the economic diversity they provide for local economies throughout the Pacific Northwest and Alaska, is also immense. The value of these fish to the 24 treaty tribes in Washington, Oregon, and Idaho goes far beyond their monetary value, to the cultural and religious lives of Indian people. A significant monetary investment is focused on salmon as a result of listings of Pacific Northwest salmon populations under the Endangered Species Act. Given the resources, we can continue to use the Pacific Salmon Commission to develop recommendations that help to ensure solutions that minimize impacts on listed stocks, especially if we are allowed to work towards the true intent of the treaty: mutually beneficial enhancement of the shared resource.

Mr. Chairman, that concludes my written testimony submitted for consideration by your subcommittee. I want to thank the subcommittee for the support that it has given the U.S. Section in the past. Please feel free to contact me or other members of the U.S. Section to answer any questions you or subcommittee members may have regarding the U.S. Section of the Pacific Salmon Commission budget.

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#### PREPARED STATEMENT OF THE UNITED TRIBES TECHNICAL COLLEGE

United Tribes Technical College (UTTC) has for 46 years, and with the most basic of funding, provided postsecondary career and technical education and family services to some of the most impoverished high risk Indian students from throughout the Nation. Despite such challenges we have consistently had excellent retention and placement rates and are a fully accredited institution. We are proud to be preparing our students to participate in the new energy economy in North Dakota and to be part of building a strong middle class in Indian Country by training the next generation of law enforcement officers, educators, medical providers, and administrators. We are governed by the five tribes located wholly or in part in North Dakota. We are not part of the North Dakota State college system and do not have a tax base or State-appropriated funds on which to rely. The requests of the UTTC Board for the fiscal year 2016 Bureau of Indian Education (BIE)/Bureau of Indian Affairs (BIA) are:

- \$6.8 million in BIE funding for our Indian Self-Determination Act contract which is in the Tribal Technical Colleges BIE line item and is \$2.2 million over the administration's request for UTTC.

- One-time BIE funding to forward fund United Tribes Technical College and the few other tribal colleges who are not forward funded, estimated at \$22 million for five institutions.
- Place contract supports costs on a mandatory funded basis and provide full funding for administrative costs grants for tribally operated elementary/secondary schools.
- Congressional support for a tribally administered law enforcement training center at UTTC and/or more involvement in law enforcement training initiatives.

*Base Funding.*—UTTC administers our BIE funding under an Indian Self-Determination and Education Assistance Act agreement, and has done so for 38 years. We appreciate that the administration is requesting a \$65,000 increase for built-in costs for UTTC for a total of \$4,630,000 but our need far exceeds that amount. We request that the UTTC portion of the Tribal Technical Colleges line item be \$6.8 million and that the total line item of Tribal Technical Colleges be at least \$11 million.

Acquisition of additional base funding is critical. We struggle to maintain course offerings and services to adequately provide educational services at the same level as our State counterparts. Our BIE funding provides a base level of support while allowing us to compete for desperately needed discretionary contracts and grants. Very little of the other funds we receive may be used for core career and technical educational programs; they are competitive, often one-time supplemental funds that help us provide support services but cannot replace core operational funding.

We highlight several relatively recent updates of our curricula to meet job market needs: Indeed, the ramifications of the North Dakota Bakken oil boom are apparent as we have seen faculty and students leave education in pursuit of jobs in the Bakken region. We saw the need for more certified welders in relation to the oil boom and have expanded our certified welding program in response to the workforce need. We are now able to train students for good paying in-demand welding employment with a focus on career rather than just a job. Other courses reflect new innovative approaches on energy auditing and Geographic Information System Technology. UTTC is seeing increased interest in our online programs of study and short term skill building training at the UTTC Black Hills Learning Center, a distance learning site located at Rapid City, South Dakota. We are also working toward the establishment of an American Indian Specialized Health Care Training Clinic on our established Bismarck, North Dakota campus.

*Forward Funding.*—We have wanted BIE forward funding for some time and our experience with funding via Continuing Resolutions (CR) has made this request more urgent. Even before the days of what now seems like routine CRs, Congress placed many education programs on a forward funded basis. We ask you to do that for us and the four other higher education institutions that receive BIE funds to be afforded the same consideration. Forward funding would allow us to know 9 months in advance (assuming the appropriations bill is enacted in a timely manner), and thus enable reasonable planning time, for these instances. As you know, only once since 1998 has the BIA budget been enacted by the beginning of the fiscal year.

There was an oversight in the fiscal year 2010 appropriations process that resulted in UTTC (and Navajo Technical University (NTU)) not receiving BIE forward funding while the other tribally controlled colleges had their funds transitioned to a forward funded basis. There is authority for forward funding for tribal colleges under the Tribally Controlled Colleges and Universities Act, 25 U.S.C. 1810(b)(1) and (2). This authority applies to all colleges funded under that Act, including UTTC and NTU. The oversight was that the administration requested the forward funding under the line item in the budget include all of the tribally controlled colleges except UTTC and NTU. The administration neglected to update the budget request to include the line item “tribal technical colleges” that had recently been established for UTTC and NTC. Also left out were the BIE-administered institutions of Haskell, Southwestern Indian Polytechnic Institute, and the Institute of American Indian Art which are funded under other authorities. The American Indian Higher Education Consortium has estimated \$22 million is needed to forward fund these schools. This does not increase the Federal budget over the long-run. This simply allows us to know 9 months in advance our funding, which is critically important when appropriations are delayed and the Government is funded under Continuing Resolutions.

*Contract Support Costs and Administrative Cost Grants.*—As mentioned above, we administer our BIE funding through an Indian Self-Determination and Education Assistance Act contract, and thus contract support costs (CSC) are vital to us. We thank this subcommittee and the administration for the recognition of the legal obligation the Federal Government has to pay tribal contractors their full CSC. Placing CSC funding on a mandatory basis is the logical resolution to a long-term solution

for CSC that will eventually protect the programs funded on a discretionary basis in the BIA and Indian Health Service budgets.

We have a BIE-funded elementary school on our campus, the Theodore Jamerson Elementary School (TJES), and thus many of our adult students and their children are able to attend school on the same campus. The administration proposed a budget that would fully fund estimated administrative costs grants (\$75 million, a \$12.9 million increase), which is the schools' equivalent to contract support costs. We ask for your support for this budget request as this would greatly assist the TJES students in completing elementary school.

Funding for United Tribes Technical College is a good investment. We have:

- Renewed unrestricted accreditation from the North Central Association of Colleges and Schools, for July 2011 through 2021, with authority to offer all of our full programs on-line. We have 23 Associate degree programs, 19 certificate and three bachelor degree programs (criminal justice; elementary education; business administration). Six courses are offered online.
- Services including a Child Development Center, family literacy program, wellness center, area transportation, K–8 elementary school, tutoring, counseling, family and single student housing, and campus security.
- A projected return on Federal investment of 20–1 (2005 study).
- A semester retention rate of 68 percent and a graduate placement rate of 79 percent. Over 45 percent of our graduates move on to 4-year or advanced degree institutions.
- Students from 49 tribes; 73 percent of our undergraduate students receive Pell Grants.
- An unduplicated count of 605 undergraduate degree-seeking students: 258 continuing education students; and 42 dual credit enrollment students for a total of 905 for 2014–2015.
- A dual-enrollment program targeting junior and senior high school students, providing them an introduction to college life and offering high school and college credits.
- A critical role in the regional economy. Our presence brings at least \$34 million annually to the economy of the Bismarck region. A North Dakota State University study reports that the five tribal colleges in North Dakota made a direct and secondary economic contribution to the State of \$181,933,000 in 2012.

*A Northern Plains Indian Law Enforcement Academy.*—We again ask Congress to seriously look at the problem of addressing crime in Indian Country with an eye toward the establishment of a campus-based academy for training of law enforcement officers in the Northern Plains area. There are cultural and legal reasons why such training should be tribally directed in order to be appropriate for the realities of tribal communities. With the expanded tribal authorities under the Tribal Law and Order Act and the Violence Against Women Act, the need has grown. State and national training resources would have an important role in this new endeavor.

Our Criminal Justice program offers 2- and 4-year degrees, and prepares graduates for employment as Federal, State or tribal law enforcement, correction, parole and probation, and transportation safety officers; victim advocates; U.S. Customs, Homeland Security, and Military Investigative services; and private security agents. We point out that the Indian Child Protection and Family Violence Prevention Act contains requirements regarding background checks and character investigations. We want to expand our endeavors to help meet law enforcement needs in Indian Country. Given our Criminal Justice program, our location and our campus resources, we propose the establishment of a Northern Plains Indian Law Enforcement Academy.

Basic law enforcement training is currently provided through the BIA's Indian Police Academy in Artesia, New Mexico. The BIA is depending on the basic training provided by State academies to supplement what is provided at Artesia. UTTC is well positioned with regard to providing both basic and supplemental law enforcement training. An academy at UTTC would allow tribal people in the Great Plains and other nearby regions a more affordable choice of training locations, minimizing the distance and long separation of trainees from their families.

The fiscal year 2016 Indian Affairs budget (p. IA-PSJ-12) notes that training initiatives for the Indian Police Academy include developing a pre-Academy training program for candidates; developing a mid-level manager training program; and establishing an on-line distance learning program for recertification, among other things. These are things that we could do as part of an academy at UTTC or in partnership with the Indian Police Academy.

In short, the BIA should be utilizing and enhancing the resources of UTTC to make a real difference in the law enforcement capability in Indian Country. We can

offer college credit to trainees, and our facilities include the use of a state-of-the-art crime scene simulator. Maintaining safe communities is a critical component of economic development for our tribal nations, and local control of law enforcement training resources is a key part of that effort.

*The Duplication or Overlapping Issue.*—As you know, in March 2011 the Government Accountability Office issued two reports regarding Federal programs which may have similar or overlapping services or objectives (GAO-11-474R and GAO-11-318SP). Funding from the BIE and the DOE's Carl Perkins Act for Tribally Controlled Postsecondary Career and Technical Education were among the programs listed in the reports. The full GAO report did not recommend defunding these programs; rather, it posed the possibility of consolidation of these programs to save administrative costs. We are not in disagreement about possible consolidation of our funding sources, as long as program funds are not cut.

BIE funds represent over half of our core operating budget. The Perkins funds supplement, but do not duplicate, the BIE funds. It takes both sources of funding to frugally maintain our institution. We actively seek alternative funding to assist with academic programming, deferred maintenance, and scholarship assistance, among other things. The need for career and technical education in Indian Country is so great and the funding so small, that there is little chance for duplicative funding. There are only two institutions targeting American Indian/Alaska Native career and technical education and training at the postsecondary level—UTTTC and NTU. Combined, these institutions received less than \$14.7 million in fiscal year 2015 Federal operational funds (\$7.7 million from Perkins; \$6.9 million from the BIE). That is not an excessive amount for two campus-based institutions who offer a broad array of programs geared toward the educational and cultural needs of their students and who teach job-producing skills.

We know members of this subcommittee have made a point to visit places in Indian Country and we would love to be able to arrange for you to visit United Tribes Technical College. Thank you for your consideration of our requests.

[This statement was submitted by Leander "Russ" McDonald, Ph.D., *President*.]

#### PREPARED STATEMENT OF THE UNIVERSITY OF NOTRE DAME

Dear Senator Murkowski,

I am writing to indicate my strong support of the U.S. Geological Survey's Great Lakes Science Center (USGS GLSC). I have pursued a number of research collaborations with scientists at the USGS Lake Michigan Ecological Research Station (LMERS) in Porter, Indiana. As a result, I have the privilege of helping advance scientifically sound natural resource management, and my graduate and undergraduate students at the University of Notre Dame have gained invaluable training to help build their careers. I have seen the GLSC and LMERS function with limited resources that have steadily degraded in the last several years. I also understand how much our Great Lakes region would benefit from increases in the GLSC budget.

The GLSC is doing important work to preserve a critical natural resource, the Great Lakes and its associated ecosystems that the people of the Great Lakes region depend upon. The Great Lakes are a vast natural resource, critical to the economy and ecology of the entire United States. This international resource is an economic engine generating nearly tens of billions of dollars yearly in economic activity and is responsible for tens of thousands of jobs in fishing, tourism and related industries alone and supports the wellbeing of millions of U.S. citizens. The highest quality science possible is required to inform wise management decisions concerning conservation, water management, and fisheries resources throughout the Great Lakes basin. The practical research produced by GLSC scientists contributes greatly to maintaining sustainability of these resources.

The USGS GLSC conducts impartial, high-quality science essential to Federal, State, local, tribal, and provincial management of Great Lakes basin natural resources throughout all five of the Great Lakes watersheds and in all eight Great Lakes States. GLSC has made significant contributions to improving the scientific basis for managing Great Lakes ecosystems. GLSC and LMERS scientists also publish high-quality research in scholarly journals so that the international research community benefits from their findings.

I have had the privilege of seeing the work at the LMERS in action. Our collaborative research on an endangered species at the Indiana Dunes National Lakeshore, for example, is aiding a recovery team that implements restoration and management plans on Federal, State, and private land. My USGS colleagues and I also are working with the National Park Service to plan for species reintroductions. This

work is serving as model of 21st century endangered species management across the United States.

The need for USGS GLSC research is rapidly increasing because of new climatic extremes, increased urbanization, a globalized economy that links the Great Lakes with ecosystems around the world, and humanity's on-going dependence on essential ecosystem services for recreation, economic value, and quality of life. We need a robust USGS to confront these challenges.

I understand from my USGS colleagues that research by the GLSC and LMERS has been eroded by failures to maintain their budget, and worsened by a 6 percent cut from sequestration in 2013. Their budget in 2014 was at the same level it was 5 years ago in 2009. The ongoing budget impacts have led to an accumulation of more than 15 unfilled scientific/technical positions distributed throughout the Great Lakes Region.

High quality, impartial scientific information from USGS GLSC is absolutely essential for wise management of the Great Lakes Region, including the preservation of endangered species, recreation resources, and economically valuable fisheries.

For the first time during the Obama administration, the 2016 budget highlights two areas where the USGS GLSC programs would experience relatively small budget increases. The President proposes: (1) a \$250,000 increase for the Great Lakes Deepwater Assessments; and (2) a bureau-wide \$2.0 million increase for Invasive Species which would likely result in a portion of those funds being directed to USGS GLSC. Additionally, Presidential Memorandum of June 20, 2014—Creating a Federal Strategy to Promote the Health of Honey Bees and Other Pollinators represents recognition of the need for the Federal Government to support research in this field that LMERS has been a leader on within the USGS.

As an academic researcher with a stake in the success of the USGS, I support—and will directly benefit from—\$17.5 million in fiscal year 2016 appropriations for the GLSC. Currently, the USGS GLSC receives approximately \$8.5 million in appropriated funding to support science programs critical to the management of these incredibly valuable resources. Compared to economic returns generated from the Great Lakes, this funding level only represents about 1.2 percent of the annual fisheries related revenue and less than 0.03 percent of the revenue attributable to closely related industries. Our request for \$17.5 million in fiscal year 2016 appropriations represents an \$8.75 million increase above the President's fiscal year 2016 request. The President's fiscal year 2016 request for \$250,000, combined with our requested increase of \$8.75 million, and the \$8.5 million annual appropriation allocated to the GLSC reaches the \$17.5 million, and reflects long-standing, well recognized needs for this chronically under-funded science program. These needs were previously detailed in a March 2010 bi-partisan letter authored by nine U.S. Senators and 21 U.S. House Members wrote to their congressional appropriation leadership to request a total science budget of \$15.0 million; and again 2 years later in April 2012, by the Association of Fish and Wildlife Agencies describing the importance of the USGS programs to regional management decisions, and recommending an appropriated science budget of \$15.0 million.

I urge you to embrace these requests in the President's budget; and respectfully ask you to increase these additions by \$8.75 million for a total increase of \$9.0 million for the USGS Great Lakes Science Center.

[This statement was submitted by Jessica J. Hellmann, *Associate Professor, Department of Biological Sciences.*]

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#### PREPARED STATEMENT OF THE WESTERN GOVERNORS' ASSOCIATION

Mr. Chairman and members of the subcommittee, the Western Governors' Association (WGA) appreciates the opportunity to provide written testimony on the appropriations and activities of the Bureau of Land Management (BLM), U.S. Fish and Wildlife Service (FWS), National Park Service (NPS), U.S. Forest Service (USFS) and Environmental Protection Agency (EPA). My name is James D. Ogsbury and I am the Association's Executive Director. WGA is an independent, non-partisan organization representing the Governors of 19 Western States and 3 U.S.-flag islands.

Together, the agencies within your jurisdiction wield significant authority over vast areas of the American West. How these agencies conduct their work has an enormous impact on individual States. The West is the epicenter of exceptional drought conditions, pervasive invasive species incursion and destructive wildfire. That is why the work of this subcommittee is of such vital importance to Western Governors: it is your efforts, as you consider appropriations levels and policy direc-



tives, that set the stage for how these agencies will interact with other layers of government and the public.

I recognize that there is a certain tension between State and Federal Governments, one that is embedded in the fabric of our Constitution. It is equally clear that these different layers of government must have a close and productive working relationship if our citizens are to prosper and thrive. Western Governors believe that such cooperation is only possible when States are regarded as full and equal partners of the Federal Government in the development and execution of programs for which both have responsibility.

This can be easily demonstrated by examining the work being done by WGA's Drought Forum under the leadership of our Chairman, Governor Brian Sandoval of Nevada. Many areas of the West are experiencing severe and sustained drought conditions. State and Federal cooperation—from data sharing to land management responsibilities—is critical to our understanding and response to these devastating drought conditions.

With respect to funding levels of appropriated programs, WGA recommends the enactment and full funding of a permanent and stable funding mechanism for the Payment in Lieu of Taxes (PILT) program administered by the Department of Interior. These appropriations do not represent a gift to local jurisdictions; rather they represent important compensation for the disproportionate acreage of non-taxable Federal lands in the West.

Similarly, payments under the Secure Rural Schools and Community Self-Determination Act (SRS) are critical to compensating communities whose timber industries have been negatively impacted by actions and acquisitions of the Federal Government. I am encouraged by the 2-year reauthorization of SRS that was included in H.R. 2, the Medicare Access and CHIP Reauthorization Act of 2015, and hope that you will consider full funding for SRS payments in fiscal year 2016.

Western Governors understand and support the need for a permanent solution to the issues addressed by PILT and SRS. The current situation leads to uncertainty and frustration for local governments and funding complications each and every funding cycle. Western Governors are ready to assist in the development and execution of solutions to these complicated matters.

Another important responsibility of the subcommittee is species conservation. Western States routinely invest enormous amounts of time, money and manpower in the management of wildlife protection and habitat conservation. It is also appropriate for Federal agencies to provide sufficient resources for species protection, particularly on Federal lands. When Federal lands are inadequately managed, State and local efforts to protect habitat and species will not be sufficient to assure the success of these efforts. Federal agencies must demonstrate their commitment to species preservation and recovery by committing adequate funding for conservation efforts on Federal lands.

The subcommittee knows all too well the pressing problem of “fire borrowing,” by which the funding for routine Forest Service management activities is transferred to emergency firefighting activities. This short-sighted practice creates a dangerous cycle that must be eliminated. By diverting funding from management activities that reduce wildfire threats, this practice increases the fire risk on Federal lands and all but ensures that future wildfires will be more damaging (and costly), especially in the current drought conditions the West is experiencing. WGA strongly supports efforts to solve the budgetary issue of fire borrowing, and would prefer that the Federal Government use a funding structure similar to that used by the Federal Emergency Management Agency (FEMA) in its response to natural disasters.

Section 8204 of the 2014 Farm Bill allowed Governors the opportunity to request that National Forest System lands within their States be considered for insect and disease designation. The Farm Bill authorized the appropriation of \$200 million to accomplish the work required under the statute. Treatment on these designations does not automatically occur. Many States, however, are already working with their regional foresters to start projects as soon as possible. This work will help reduce the threat of wildfires in areas of high risk. I am encouraged by the eagerness of the USFS to begin this effort and request that funding be appropriated at a reasonable and sustainable level.

Data for water management and drought response planning is critical to Western States. I also request adequate funding levels for the Cooperative Water Program and National Streamflow Information Program (NSIP), both administered by the Department of Interior's U.S. Geological Survey (USGS). The data collected by these programs is integral to water supply management decisions for States, utilities, reservoir operators and farmers. This information is particularly useful as drought persists in California, Nevada, the southern Great Plains, and other parts of the West. The data sources are also used for flood forecasts, making them essential to risk

assessment as well as water management. These two USGS programs are important elements of a robust water data management program in the Western States, and provide needed support for drought mitigation efforts throughout the West.

Infrastructure management is another crucial element of drought response. EPA's Clean Water and Drinking Water State Revolving Funds (SRFs) provide the necessary support for communities to maintain and enhance their water infrastructure. The Western Governors' 2014 policy resolution, Water Resource Management in the West, supports adequate funding for SRFs.

The following recommendations are intended to help ensure that the taxpayer realizes a better return on the investment of limited discretionary resources. This goal will be more readily achieved to the extent that Federal agencies better leverage State authority, resources and expertise.

Western Governors appreciate your assistance in encouraging a positive relationship between the States and the Federal Government on the use of wildlife data. For the past 2 years, this subcommittee has included language in its report directing Federal land managers to use State fish and wildlife data and analyses as principal sources to inform land use, land planning and related natural resource decisions. Both levels of government need data-driven science, mapping and analyses to effectively manage wildlife species and their habitat. States possess constitutional responsibilities for wildlife management, as well as intimate knowledge of wildlife habitat and resources. In many cases, States generate the best available wildlife science. I encourage you to maintain this position and reiterate it in your fiscal year 2016 report to strengthen this important operating principle.

Western Governors believe that States should be full and equal partners in the implementation of the Endangered Species Act (ESA) and should have the opportunity to participate in pre-listing and post-listing ESA decisions. The Act is premised on a strong State-Federal partnership. Section 6(a) of the ESA states that, "In carrying out the program authorized by the Act, the Secretary shall cooperate to the maximum extent practicable with the States." WGA submits that such cooperation should include partnership with States in the establishment of quantifiable species recovery goals, as well as in the design and implementation of recovery plans.

ESA listing decisions can have dramatic impacts on vital State interests, influencing a State's ability to conduct almost any activity—from road siting to new home construction to environmental projects. Consequently, States should have the right to intervene in proceedings regarding the ESA. The subcommittee is urged to support the legal standing of States to participate in administrative and judicial actions involving ESA that, by their nature, implicate State authority and resources. Several Federal statutes—including the Clean Water Act (CWA), Clean Air Act and Resource Conservation and Recovery Act—vest the States with the role of co-regulator with the EPA.

The number of wild horses and burros on BLM lands is estimated by the agency to be almost double the current Appropriate Management Level (AML). Wild horse and burro populations in excess of AMLs can degrade rangeland, causing harmful effects on wildlife and domestic livestock. This degradation also has implications for the protection of threatened and endangered species and other species protection efforts. WGA would support a process to establish, monitor and adjust AMLs for wild horses and burros that is transparent to stakeholders, supported by scientific information (including State data), and amenable to adaptation with new information and environmental and social change. Such a process would address both the long-term viability of wild horse and burro populations, and near-term concerns about the rangeland impacts of overpopulation.

Last year, the administration unveiled a proposed rule of the EPA and the U.S. Army Corps of Engineers intended to clarify the jurisdictional reach of the CWA. Many States have indicated concern that the proposed rule significantly expands the definition of "waters of the United States" and could impinge on State authority over the regulation of waters within their borders. WGA continues to be concerned that States were insufficiently consulted during the development of this proposal and played no role in the creation of the rule.

Congress intended for the States and EPA to implement the CWA in partnership and delegated authority to the States to administer the law as co-regulators with EPA. Accordingly, WGA encourages congressional direction to EPA to engage the States in the creation of rulemaking, guidance or studies that threaten to redefine the roles and jurisdiction of the States. State water managers should have a robust and meaningful voice in the development of any rule regarding the jurisdiction of the CWA or similar statutes.

States have exclusive authority over the allocation and administration of rights to groundwater located within their borders and are primarily responsible for pro-

tecting, managing, and otherwise controlling the resource. The regulatory reach of the Federal Government was not intended to, and should not, be applied to the management and protection of groundwater resources. I encourage you not to permit the use of appropriated funds for any activity that would implement a directive on groundwater management. Federal agencies should work with the States to identify ways to address their groundwater-related needs and concerns through existing State authorities. Such collaborative efforts will help ensure that Federal efforts involving groundwater recognize and respect State primacy and comply with Federal and State statutory authorities.

Western Governors and Federal land management agencies deal with a complex web of interrelated natural resource issues. It is an enormous challenge to judiciously balance competing needs in this environment, and Western Governors appreciate the difficulty of the decisions this subcommittee must make. The foregoing recommendations are offered in a spirit of cooperation and respect, and WGA is prepared to assist you as appropriate as you discharge your critical and challenging responsibilities.

Again, thank you for the opportunity to provide written testimony. Please feel free to contact me if you have any questions about the content of these remarks.

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#### PREPARED STATEMENT OF THE WILDERNESS LAND TRUST

Chairman Murkowski, Ranking Member Udall and members of the subcommittee, my name is Reid Haughey and I am the president of the Wilderness Land Trust. Thank you for the opportunity to submit testimony. My testimony focuses on a very small portion of the Land and Water Conservation Fund (LWCF)—funding for the Inholding Acquisition Accounts for the four land management agencies. Continued modest funding of the Inholding Accounts is vital to the success of securing and preserving wilderness already designated by Congress, while treating private landowners within these areas fairly.

The Trust is a small not-for-profit organization focused on protecting designated wilderness. To do this, we work in partnership with landowners who own private property within designated and proposed wilderness areas and the agencies that manage these areas. We acquire properties from willing sellers with the intent to transfer ownership to the United States.

Last year marked the 50th Anniversary of the Wilderness Act of 1964 that established our National Wilderness Preservation System. As part of our celebration of the 50th anniversary, the Trust commissioned a national inventory of private lands within wilderness. The results are startling. The report determined that within the lower 48 States, 175,863 acres of private lands still remain in 2,883 parcels. There are also 440,000 acres of State owned lands. Alaska is home to 47 percent of the total nonFederal lands—predominantly Native corporation lands stemming from ANCSA—comprising 693,641 acres in 686 parcels.

When the Trust started work 23 years ago, we estimated there were 400,000 acres of private land within designated wilderness in the lower 48 States. It has taken steady work to reduce that by more than half. Large appropriations for the Inholding Accounts did not accomplish this success—just reliable, modest funding so that lands can be purchased when landowners want to sell. This is the level of funding we are hoping to continue.

I am before you today to thank you for funding the Inholdings Accounts in fiscal year 2015 and to ask for that support once again. An appropriation of between \$3 and 5 million to each of the land management agencies, the Forest Service, the Bureau of Land Management, the Fish and Wildlife Service and the National Park Service, is sufficient to enable the agencies to acquire high priority inholdings from willing sellers.

Our work, along with that of many other organizations and facilitated by funding of the Inholding Accounts, aims to give the Federal Government less work. Eliminating private inholdings within designated wilderness:

- Saves Federal dollars,
- Solves management and resource problems,
- Helps private landowners, and
- Increases recreational access and economic development.

#### *Saving Federal Dollars*

The management of human development activities in wilderness is expensive for the agencies. The potential resource damage to the protected lands and waters is enormous. While steady progress has been made reducing private inholdings in wilderness areas in the lower 48 States, our wilderness areas remain riddled with pri-

vate inholdings that greatly threaten the wilderness that surrounds them and creates a “Swiss cheese” effect. While The Wilderness Act defines Wilderness as places where “where man himself is a visitor who does not remain,” private landowners retain their rights to build roads, homes and other buildings, extend utilities, extract minerals and timber, and block public access. There are numerous cases where such inholdings have been developed in ways that seriously degrade wilderness values on the adjacent public lands. All of these activities pose challenges for Federal managers of the lands surrounding private inholdings and create significant and costly management inefficiencies. By contrast, the cost of acquiring these properties when they are offered for sale is relatively small. That is why it is so important to continue the modest appropriations needed for the inholding acquisition program.

For example, the Trust acquired a property in the Hells Canyon Wilderness in Arizona several years ago that ended 38 years of on and off litigation over access. This saved the agency a lot of ongoing costs. It made the landowner happy and completed the wilderness that surrounded it.

Further, as you are well aware, the costs associated with firefighting on public lands are enormous. The Wilderness Land Trust may be the only landowner within designated wilderness that can say it has experienced both sides of reducing firefighting costs. A property we owned in the heart of California’s Yolla Bolly Wilderness burned while we owned it. Significant resources were spent to protect the structures on it, risking life and limb, as well as money.

On the other hand, the Trust’s Hells Canyon Wilderness property in Idaho burned one week after it was transferred to Federal ownership. No one cared; no one came out to protect it. It burned as part of the natural process of wilderness and firefighting efforts rightly concentrated at the edges of the wildland-urban interface.

Specific data on firefighting expenses are difficult to get. The Western Forestry Leadership Coalition, a State and Federal Government partnership whose members include 23 State and Pacific Island Foresters, 7 Western Regional Foresters, 3 Western Research Station Directors, The Forest Products Lab Director of the USDA Forest Service, published a report: *The True Cost of Wildfire in the Western U.S.* in April 2009. Among the case studies reviewed, the lowest total cost per acre firefighting expense was the Canyon Fire Complex in Montana (2000). The total cost was \$411 per acre. There were only six structures involved. The highest cost per acre was the 2000 Cerro Grande fire in New Mexico. It cost \$22,634 per acre. There were 260 residences involved. This is strong evidence that the presence of private lands and structures within public landscapes exponentially increases the cost of firefighting.

Not all the costs of managing these isolated parcels fall on the Federal Government. As the manager of Pitkin County, Colorado I learned firsthand that the expenses of providing services to these isolated and far-flung properties far exceed the tax revenues received and do not come close to offsetting the cost of providing fire protection, emergency services, road, school buses and general government services. It costs more to serve these isolated single properties than the tax revenue they generate.

#### *Solves Management and Resource Problems*

The Inholding Accounts have been used to acquire mines from private owners, private retreats, and various properties that include the spectrum of non-wilderness uses. We are currently readying for transfer to Federal ownership a former mine in the Frank Church River of No Return Wilderness. We’ve closed the former unreclaimed mine on the banks of the Wild and Scenic Salmon River. The transfer will remove a private home and no trespassing signs on one of the few flat spots on that stretch of river. It will be returned to the public, who can enjoy being able to stop there and learn about past mining days, camp or fish from land on which the abandoned and open mine is now reclaimed and closed—no longer a threat to the public, or to the Wild and Scenic River from its open shafts deep into the alluvium of the river.

Recent purchases funded from the Inholding Accounts have secured access to the east side of the Ventana Wilderness in California, secured trails through the Wabayuma Peak Wilderness in Arizona and the Glacier Peak Wilderness in Washington and created access to a recently designated wilderness in Idaho. More are on the way.

#### *Helps Private Landowners*

Landowners who are ready to sell deserve to have their properties purchased. Their isolated properties are primarily the result of 19th century congressional policy when homesteads, mining operations and timber production were encouraged without the balance of conservation. As a result, wilderness areas now dedicated by

Congress are pockmarked with islands of private ownership that compromise the wilderness resource, become expensive management issues for the agencies and often befuddle landowners who wish to sell these properties for the benefit of their companies or families.

This is why consistent funding for the Inholding Accounts is vital. We have learned that these lands become available about once a generation. It has been our experience that these critical inholdings come on the market at a steady rate as owners make decisions based on their family or business needs. About 3 to 5 percent come on the market every year—once a generation. If the opportunity to meet the seller's need is missed, it averages another 20 years before the opportunity comes again.

If the opportunity to acquire these when offered is lost, the management issues and inefficiencies that result from private lands remaining within designated wilderness continue. Without consistent funding, numerous opportunities to acquire these private parcels will be lost. Not for a year, but often for at least another generation.

*Increases Recreational Access and Economic Development*

On the east side of the Castle Crags Wilderness in California is a wall of private land that blocks access from Interstate 5. The nearby community of Dunsmuir is wholly supportive of transferring these lands to Federal ownership and opening up the Crags to visitation. Dunsmuir anticipates visitors that will come to the community and its climbing, biking and skiing shops it is hoped will grow to replace the loss of logging jobs. Dunsmuir has been suffering under an unemployment rate of 18 percent and looks forward to having the recreational asset of the Crags' world class climbing only one mile off Interstate 5 and just outside their community—rather than a 7-mile hike around the private lands that now block access.

Finally, it is also important to recognize that wilderness inholdings come in many shapes, sizes and prices depending on the real estate market in a particular area. A number of projects that fall in the agency project lists are inholdings. Thus, we ask that you give the highest level of support possible for Federal LWCF acquisitions.

In summary, continued consistent funding of the Inholding Accounts is vital. Without such funding, significant opportunities to acquire private parcels within our designated wilderness areas will be lost for at least another generation. We urge your support of continued funding for these accounts and as much support for Federal LWCF acquisitions as possible. Support for these accounts:

- Saves money by eliminating management inefficiencies that frequently exceed the cost of acquisition;
- Helps private landowners within federally designated wilderness and other conservation areas;
- Allows the agencies to act when opportunities occur to acquire inholdings, often only once a generation; and
- Completes designated wilderness areas, removing threats from incompatible and harmful development within their boundaries.

Thank you for the opportunity to testify. We greatly appreciate your time and consideration and the support of the subcommittee in securing these appropriations.

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PREPARED STATEMENT OF THE WILDERNESS SOCIETY

The Wilderness Society (TWS) represents more than 500,000 members and supporters who share our mission to protect wilderness and inspire Americans to care for our wild places. We thank the subcommittee for the opportunity to submit comments on the fiscal year 2016 Interior, Environment and Related Agencies Appropriations bill.

When deciding on funding that affects hundreds of millions of Americans, we urge you to take into account the full economic, social, environmental and cultural value of the many programs managed by this subcommittee. Our public lands and waters contribute significantly to the U.S. outdoor recreation economy. Modest, prudent investments in these critical programs will provide jobs and protect the health and economic wellbeing of local communities. We urge bold, immediate action in support of conservation funding for fiscal year 2016. Specifically, TWS recommends:

*Wilderness Management*

America's National Wilderness Preservation System, now 50 years old, is suffering from a serious lack of funding. Trail maintenance, law enforcement, monitoring, and user education are all significantly underfunded, leading to an erosion of wilderness

values and a diminution of the experience for visitors. We recommend that each of the agency wilderness management accounts be increased to support much needed trails maintenance, update signage, fight invasive species, restore watersheds, and monitor effects of climate change, among other critical needs.

—*Bureau of Land Management (BLM) Wilderness.*—TWS supports restoring BLM Wilderness funding to the fiscal year 2011 level of \$19.663 million. The budget proposal of \$18.559 million for BLM wilderness management is strong, but still 6 percent lower than the fiscal year 2011 enacted level. To just keep pace with inflation the fiscal year 2016 request would need to be \$20.430 million.

—*Forest Service Recreation, Wilderness and Heritage.*—We urge Congress to support wilderness and recreation by restoring funding to the fiscal year 2010 level of \$285.1 million for the Recreation, Heritage and Wilderness Program. Recreation is the most ubiquitous use of our forest lands, and accounts for more than half of all job and income affects attributable to Forest Service programs (over 190,000 jobs and \$11 billion in spending effects by visitors).

—*National Park Service Wilderness.*—We support the proposed fiscal year 2016 funding increase for the base wilderness program to \$462,000. As the Park Service prepares for their Centennial next year this modest increase would help address the backlog of Wilderness Stewardship Plans, support training for wilderness park superintendents, improve coordination with interagency Landscape Conservation Cooperatives, and reduce the likelihood of litigation.

#### *Land and Water Conservation Fund*

Having just celebrated its 50th anniversary year, LWCF remains the premier Federal program to conserve our Nation's land, water, historic, and recreation heritage. It is a critical tool to protect national parks, national wildlife refuges, national forests, BLM lands, and other Federal areas. The companion LWCF State grants program provides crucial support for State and local parks, recreational facilities, and trail corridors. LWCF also funds two other important State grant programs—the Forest Legacy Program and Cooperative Endangered Species programs—that ensure permanent conservation of important forest lands and threatened and endangered species' habitat, as well as important wildlife and recreational habitat and ensures that public lands stay public for hunters, anglers, and other outdoor recreationists for generations to come.

—TWS strongly supports fully funding LWCF at the proposed \$900 million, with a discretionary funding level of \$400 million. Full funding for LWCF will allow land management agencies to manage our public lands more efficiently and cost-effectively. This is in part achieved through strategic inholdings acquisition which reduces internal boundary line surveying, right-of-way conflicts and special use permits.

#### *Emergency Wildfire Funding*

For years the U.S. Forest Service (USFS) and the Department of the Interior (DOI) have had to divert funds from vital conservation and wildfire prevention programs to cover wildfire suppression costs. This is having long-term negative effects on conservation and land management, especially where these funds are diverted from programs aimed at reducing fire risks and costs, which creates a vicious cycle. With longer and more severe fire seasons the Forest Service has seen wildfire management rise from 13 percent of the agency's budget in fiscal year 1991 to almost 50 percent today.

—TWS strongly supports the bipartisan funding request at 70 percent of the 10 year average, and the \$841 million to be made available under the disaster funding cap adjustment. This will eliminate the need to pillage other accounts to pay for the worst 1 percent of wildfires, and will treat them as the natural disasters they truly are.

#### *BLM Onshore Oil and Gas Policy*

The BLM is implementing important management reforms of its oil and gas program that is leading toward a better balance between oil and gas development on public lands and the protection of the numerous natural resource values that were put at risk by previous policies. It will also lead to Federal lands that are fully and fairly valued for the American people. TWS support the following administration proposed reforms of the BLM's oil and gas program:

—A fee on onshore Federal operators to provide for a \$48 million per year inspection and enforcement program to implement recommendations made by the GAO.

- An increase of \$5.8 million in BLM to accelerate development and completion of Master Leasing Plans to ensure proper planning and conservation during siting and development of oil and gas wells.
- Funds to enact royalty reforms and improve revenue collection process to ensure that resources on Federal lands are fully and fairly valued and delivering fair taxpayer returns.
- Funds to implement regulations to reduce methane waste from wells on Federal lands.

#### *Sage-Grouse Initiative*

The Wilderness Society supports the administration's \$45 million increased request for the BLM's Greater Sage-Grouse Conservation Strategy. If successful, implementation of this strategy will lead to recovery of this important western game species without the necessity of a listing under the Endangered Species Act.

#### *BLM's National Landscape Conservation System*

The National Landscape Conservation System (Conservation Lands) comprises some 27 million acres of congressionally and presidentially designated lands and waters, including National Monuments, National Conservation Areas, Wilderness Areas and other designations. Stewardship of the Conservation Lands provides jobs for thousands of Americans while supporting vibrant and sustainable economies in surrounding communities. The Conservation Lands provide immeasurable public values from modest investments: outstanding recreational opportunities, wildlife habitat, clean water, wilderness, and open space near cities.

- TWS strongly supports the administration's fiscal year 2016 recommendation of \$81.079 million to ensure the natural, cultural, and historical resource protection provided by the Conservation Lands for the American public.
- TWS also supports the proposed BLM Challenge Cost Share Program funding of \$12.416 million. This is a cross-cutting program within DOI, which provides a 1:1 match for volunteer activities.

#### *Renewable Energy*

TWS is a strong proponent of transitioning our country to a clean energy economy by developing our renewable energy resources responsibly. We believe renewable energy is an appropriate and necessary use of public lands when sited in areas screened for habitat, resource, and cultural conflicts. Identifying and avoiding conflicts early is essential to avoid costly fights and create allies with local communities and the renewable energy industry. TWS hopes the Department will continue to support a program that ensures our public lands play an important role in supporting renewable energy infrastructure through environmental review, suitability screening, and energy zone identification to find suitable places for renewable energy projects. TWS is also a supporter of Secretarial Order 3330 on Mitigation that would ensure that any impacts are avoided or offset. TWS urges Congress to:

- Support increased funding for renewable energy programs across Interior from fiscal year 2015 enacted, up to \$110.4 million total.
- Support an increase of \$5 million in Cadastral, Lands, and Realty Management program to enhance BLM's ability to designate energy corridors to site high-voltage transmission lines, substations, and related infrastructure in an environmentally sensitive manner.

#### *Implementation of Landscape Level Management*

The Wilderness Society supports the Department of Interior's philosophy of looking at development on a landscape level with proper mitigation policies. The recently released draft of the Desert Renewable Energy Conservation Plan in the California Desert is a prime example. It is crucial that the Department is fully funded to put in place processes that designate areas for energy development, both traditional and renewable, at the same time setting aside important areas for wildlife, cultural, and recreational values.

#### *National Wildlife Refuge System Funding*

The National Wildlife Refuge System is the world's finest network of protected lands and waters. Designed to conserve our fish and wildlife resources, refuges are located in every State and Territory and provide enormous economic benefit for their local communities. Every year, the System attracts 45 million tourists, hunters, fishermen, and other recreationists, generating \$1.7 billion in sales, sustaining nearly 27,000 jobs annually, and contributing over \$185 million in tax revenue. The Refuge System has been under increasing fiscal strain, however, with a maintenance backlog of over \$3 billion.

—We urge Congress to support funding for the National Wildlife Refuge System at the President’s recommendation of \$508.2 million.

#### *National Forest Restoration*

The Legacy Roads and Trails (LRT) and Collaborative Forest Landscape Restoration (CFLR) programs provide essential funding to restore watersheds, improve recreational access, protect aquatic species and advance collaborative restoration projects. LRT funding was slashed 50 percent in fiscal year 2011 and 22 percent in fiscal year 2014. Given the recent evaluation of the Integrated Resource Restoration (IRR) program we recommend that LRT be removed from IRR, to enable it to operate as a complementary program to IRR, similar to CFLR. We also do not recommend that the IRR pilot program be expanded until the test regions have proven that IRR can improve restoration without a loss of transparency and accountability. Specifically, TWS recommends that Congress:

—Restore Legacy Roads and Trails funding to \$45 million and fully fund the Collaborative Forest Landscape Restoration Program at \$60 million

#### *Forest Service Inventory and Monitoring and Planning*

The Inventory and Monitoring Program is integral to forest planning. The Planning Program funds amendments and revisions to Land Management Plans, the overarching documents that guide the management of individual forests and grasslands. By providing adequate and consistent funding to both these programs, we advance plans and projects and avoid bad decisionmaking, unnecessary costs, and reduce risks to water quality and quantity, wildlife, and recreation. TWS recommends that Congress:

—Support Inventory and Monitoring and Planning by restoring funding to the running 10-year average of \$162,060,500 and \$45,712,600, respectively.

#### *National Forest Roads*

Forest Service roads funding has been cut by 41 percent since 2010, adding even more strain to a severely under-maintained road system. The road system enables management, recreation and restoration on our national forests and grasslands. It is also one of the most significant stressors on watersheds and ecosystems, contributing to water pollution and declining fish populations. Adequate funding is needed to create a sustainable, safe road system that minimizes negative impacts of roads, provides high quality recreational access, and to stormproof roads against anticipated severe flood flows resulting from climate change.

—We urge Congress to fund Capital Improvement and Maintenance Roads at the running 10-year average of \$201,702,200 in fiscal year 2016.

#### *National Forest Trails*

There are 158,000 miles of trails in the National Forest System. These trails provide 50 million visitor days of outdoor recreational use each year. Annual visitor days have grown 376 percent since 1977, and the total mileage of trails has grown 56.9 percent to accommodate this. Unfortunately, the trails maintenance and reconstruction line item has remained essentially flat since 1980, after adjusting for inflation. In fiscal year 2015 the trails budget was cut 9 percent compared to fiscal year 2010, despite the fact that GAO has reported a \$500 million trail maintenance backlog. Currently, the Forest Service is only able to maintain a quarter of its trail miles to a minimum standard condition.

—We urge Congress to fund Capital Improvement and Maintenance Trails at its fiscal year 2010 level of \$85,381,000 in fiscal year 2016.

[This statement was submitted by Alan Rowsome, *Senior Director of Government Relations for Lands.*]

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#### PREPARED STATEMENT OF THE WILDLIFE CONSERVATION SOCIETY

Chairwoman Murkowski, Ranking Member Udall, members of the subcommittee: Thank you for the opportunity to offer testimony on fiscal year 2016 Interior, Environment and Related Agencies Appropriations Act. WCS was founded with the help of Theodore Roosevelt in 1895 with the mission of saving wildlife and wild places worldwide. Today, WCS manages the largest network of urban wildlife parks in the United States led by our flagship, the Bronx Zoo. Globally, WCS works to protect 25 percent of the world’s biodiversity and manages more than 200 million acres of protected lands around the world, employing more than 4,000 staff including 200 Ph.D. scientists and 100 veterinarians.



The American conservation tradition is based on promoting sustainable use of our natural resources in order to preserve the world's species and environment for future generations. In recognition of the current fiscal constraints, it is important to note that effective natural resources management and conservation has indirect economic benefits, including contributing to local economies through tourism and other means.

Internationally, by supporting conservation, the US is increasing capacity and governance in developing nations and improving our own national security as a result. And these efforts are absolutely critical, as we have reached a crisis with regard to the trafficking of wildlife. The illegal trade in elephant ivory, rhino horns, tiger skins and other illegal wildlife products is worth at least an estimated \$8 to \$10 billion annually. Because of the lucrative nature of this industry, evidence is showing increasingly that transnational criminal organizations and terrorist groups that are involved in other major trafficking operations—drugs, humans and weapons—are engaged in wildlife trafficking as well.

#### U.S. IVORY BAN

The Federal Government recently presented a plan to implement its National Strategy for Combating Wildlife Trafficking (National Strategy), which is designed to provide a framework for a whole-of-government approach to addressing the crisis. Several programs within this bill form the base upon which that strategy is built, but a key piece of the overall National Strategy that has been of some concern to some members of the subcommittee—the U.S. Fish and Wildlife Service's (FWS) announcement to change its current Federal rule to further restrict the commercial sale of ivory—should be addressed first.

On the ground in Africa and elsewhere, WCS scientists are seeing, first-hand, the devastating impact poaching is having on elephants, rhinos, tigers, and other iconic species. A study published by WCS found that in 2012 alone, 35,000 African elephants were killed for their ivory—that is an average of 96 elephants per day or one killed every 15 minutes. This finding is supported by a subsequent study that found that 100,000 elephants were poached between 2011 and 2013. Both studies show that conditions are dire for the subspecies of African forest elephants, which has declined by about two-thirds in a little more than a decade. Continued poaching at this rate may mean the extinction of forest elephants in the wild within the next 10 years and the potential loss of all African elephant species in the wild in our lifetimes. Action must be taken now to prevent this catastrophe from occurring.

There is little question that China is the largest market for illegal ivory. However, the United States is also one of the larger destinations, both for domestic consumption and as a transshipment hub for Asia. As part of Operation Crash, the U.S. Fish and Wildlife Service and Department of Justice have successfully arrested criminals and prosecuted cases in several States over the last 18 months—including Texas, New York, Florida and New Jersey—involving millions of dollars illegal ivory and rhino horn. These busts are strong evidence that there is a domestic problem with illegal ivory, all of which is smuggled in from overseas and which frequently crosses State lines, placing it firmly under Federal jurisdiction.

The problem with ivory is that you cannot differentiate legal ivory antiques from illegal ivory without lab tests, which are costly and can damage the piece. Once raw or worked ivory from recently poached elephants is smuggled into the United States, it can easily be placed in the marketplace right alongside genuine antiques. A survey conducted in 2008 of 24,000 pieces of ivory being sold in antique stores in 16 cities in the United States and Canada concluded exactly this point, finding that more than 7,000 of these items were potentially illegal. The system, as it was, was fundamentally flawed.

Recognizing it does not have the resources to test and verify this many pieces of ivory, FWS is in the process of revising its rules regarding African elephant ivory to bring them more in line with the underlying statutes. FWS had initially indicated its intent to publish a proposed rule last summer, but after consulting with stakeholders from all sides, the agency appears to have taken the time to craft a rule that seeks to accommodate as many of these stakeholders as it can while still making meaningful changes that stop the domestic sale of illegal ivory.

Last year's Interior bill in the House contained a provision that would have blocked FWS from proceeding on any rule related to ivory, forcing the continuation of a system that we know does not work and has been a contributing factor in the poaching of 100,000 elephants over the past 3 years. WCS understands that a preliminary rule is very close to being released. We would encourage the subcommittee to allow this process to continue so that the public can see the proposal and have a substantive debate on the actual content of the rule rather than the current argu-

ments from both sides, which are based entirely on speculation about what the rule might contain.

#### U.S. FISH AND WILDLIFE SERVICE

*Multinational Species Conservation Fund (MSCF):* There is much more to the Federal effort to combat wildlife trafficking than the ivory ban, much of which is under this subcommittee's jurisdiction. Global priority species—such as tigers, rhinos, African and Asian elephants, great apes, and marine turtles—face constant danger from poaching, habitat loss and other serious concerns. MSCF programs have helped to sustain wildlife populations by controlling poaching, reducing human-wildlife conflict and protecting essential habitat—all while promoting U.S. economic and security interests in far reaching parts of the world. These programs are highly efficient, granting them an outsized impact because they consistently leverage two to four times as much in matching funds. This program has been level-funded for the last 3 fiscal years, and WCS requests that \$11 million—equal to the President's request—be appropriated for the MSCF for fiscal year 2016.

WCS has had great success on projects using funds from the MSCF. One grant we receive through the African Elephant Conservation Fund supports the longest running study of African forest elephants at Dzanga Bai in the Central African Republic. Despite political turmoil and instability in the country, the area remains an important habitat and gathering site for large numbers of elephants. Funds support ongoing surveillance and monitoring of the site, collection of baseline data, and collaboration with local anti-poaching efforts.

*FWS International Affairs:* The FWS International Affairs (IA) program supports efforts to conserve our planet's rich wildlife diversity by protecting habitat and species, combating illegal wildlife trade, and building capacity for landscape-level wildlife conservation. The program provides oversight of domestic laws and international treaties that promote the long-term conservation of plant and animal species by ensuring that international trade and other activities do not threaten their survival in the wild. Within IA, the Wildlife Without Borders program seeks to address grassroots wildlife conservation problems from a broad, landscape perspective—building regional expertise and capacity while strengthening local institutions. WCS encourages supporting the President's request for \$14.7 million.

*Office of Law Enforcement:* The United States remains one of the world's largest markets for wildlife and wildlife products, both legal and illegal. A small group of dedicated officers at the FWS Office of Law Enforcement (OLE) are tasked with protecting fish, wildlife, and plant resources by investigating wildlife crimes—including commercial exploitation, habitat destruction, and industrial hazards—and monitoring the Nation's wildlife trade to intercept smuggling and facilitate legal commerce. Many of the new responsibilities placed on the FWS by the National Strategy will be enforced by the OLE, and WCS supports the President's request for \$75.4 million. The additional funding requested for this year would allow OLE to expand its approach to target and stop illicit trade; ensure sustainable legal trade through the CITIES; place enforcement officers in transit hubs overseas; reduce demand for illegal products in consumer countries; and, provide technical assistance and grants to other nations to build local enforcement capabilities.

*Cooperative Landscape Conservation:* Many of the domestic conservation programs in this bill provide funding to States to implement their conservation goals. But wildlife does not recognize political boundaries, and scarce conservation dollars can best be spent when effective planning and coordination takes place across entire ecosystems. The Cooperative Landscape Conservation Program funds a network of 22 Landscape Conservation Cooperatives (LCC) in the United States and Canada, which use a collaborative approach between Federal, State, tribal and local partners to identify landscape scale conservation solutions and work collaboratively to meet unfilled conservation needs, develop decision support tools, share data and knowledge, and facilitate and foster conservation partnerships. Funding will support landscape planning and design that will improve the condition of wildlife habitat and improve resilience of U.S. communities. WCS encourages the subcommittee to meet the President's request for \$17.9 million for this program.

*State and Tribal Wildlife Grants Program:* The State and Tribal Wildlife Grants program gives States and tribes funding to develop and implement comprehensive conservation plans to protect declining wildlife and habitats before protection under the Endangered Species Act is necessary. This important program is supported by more than 6,200 organizations that have formed a national bipartisan coalition called Teaming with Wildlife, of which WCS is a steering committee member. WCS recommends Congress provide strong and continued support for fiscal year 2016 at levels at or above fiscal year 2015 appropriations for the program.

## U.S. FOREST SERVICE

*International Programs:* The U.S. economy has lost approximately \$1 billion per year and over 200,000 jobs due to illegal logging, which is responsible for 15–30 percent of all timber by volume. The Forest Service International Program (FSIP) works to level the playing field by reducing illegal logging and improving the sustainability and legality of timber management overseas, translating to less underpriced timber undercutting U.S. producers. Through partnerships with USAID and the Department of State, FSIP helps to improve the resource management in countries of strategic importance to U.S. security.

With technical and financial support from FSIP, WCS has been working to conserve a biologically rich temperate forest zone called the Primorye in the Russian Far East. The region hosts over a hundred endangered species as well as numerous threatened species, including the Far Eastern leopard and Amur tiger. FSIP works with us to exchange information and methodologies with Russian scientists, managers, and students on a variety of wildlife-related topics to support conservation and capacity building efforts and ensure the sustainable management of forests and wildlife habitat.

FSIP has been level-funded for several years. Given the economic benefits to U.S. timber producers and the program's excellent history of leveraging four additional dollars in matching funds for each Federal dollar invested, WCS encourages the subcommittee to appropriate \$9 million for the program, an increase of \$1 million from fiscal year 2015. With additional appropriated funding, FSIP would expand a number of activities, including developing new technologies, protecting habitat for migratory species and endangered wildlife, promoting community forestry, supporting policy formulation, and strengthening law enforcement.

## U.S. NATIONAL PARK SERVICE

*Office of International Affairs:* Since the establishment of the Office of International Affairs (OIA) in 1961, the U.S. Government has been facilitating technical assistance and exchange projects with counterpart agencies globally building on the legacy of American leadership in national parks management. OIA is also the managing agency for World Heritage Sites located in the United States. Thanks to this program, NPS is working on collaborative areas of trans-frontier concern, including at the Beringia Shared Heritage Initiative (U.S.-Russia), which WCS has been involved with as part of our ongoing conservation efforts in Arctic Alaska. The international work conducted by NPS is not only about helping other countries protect their parks and heritage. It is about bringing home best practices and learning from international engagement that could benefit the American parks. WCS recommends including the President's request of \$897,000 for the OIA in fiscal year 2016.

In conclusion, WCS appreciates the opportunity to share its perspectives and make a case for increased investment in conservation in the fiscal year 2016 Interior, the Environment and Related Agencies Appropriations Act. Conservation of public lands is an American tradition and, as far back as 1909, Theodore Roosevelt recognized that the management of our natural resources requires coordination between all nations. Continued investment in conservation will reaffirm our global position as a conservation leader, while improving our national security and building capacity and good governance in developing countries.

## PREPARED STATEMENT OF THE WILDLIFE SOCIETY

The Wildlife Society appreciates the opportunity to provide testimony on the fiscal year 2016 budget for the Department of Interior, Environment, and Related Agencies. The Wildlife Society was founded in 1937 and is a non-profit scientific and educational association representing nearly 9,000 professional wildlife biologists and managers. Our mission is to inspire, empower, and enable wildlife professionals to sustain wildlife populations and habitats through science-based management and conservation.

## U.S. FISH AND WILDLIFE SERVICE

The State and Tribal Wildlife Grants Program is the only Federal program that supports States in preventing wildlife from becoming endangered. It is also the primary program supporting implementation of State Wildlife Action Plans, which detail on the ground conservation actions in each State to keep common species common. Funding assistance for State wildlife agencies is one of the highest priority needs to prevent further declines in at-risk species in every State. Previous budget reductions and sequestration have had a serious and disproportionate impact on

State and Tribal Wildlife Grants. We are appreciative of the increase in funding recommended in the President's budget, to \$70 million in fiscal year 2016. We recommend Congress appropriate at least \$70 million for State and Tribal Wildlife Grants in fiscal year 2016. We also ask that Congress not shift additional funds directed to States through formula grants to a competitive allocation. This funding is critical for maintaining wildlife diversity programs at the State level and a further reduction in the formula grants may have dramatic negative consequences.

As a member of the Cooperative Alliance for Refuge Enhancement, or CARE, The Wildlife Society supports the President's request for the National Wildlife Refuge System's operations and maintenance accounts at \$508.2 million for fiscal year 2016. CARE estimates that the Refuge System needs at least \$900 million in annual Operations and Maintenance funding to properly administer its 562 refuges and 38 wetland management districts spanning over 150 million acres. Given current fiscal realities, we understand that funding at \$900 million is not currently possible. However, at its highest funding level in fiscal year 2010, the Refuge System received only \$503 million—little more than half the needed amount. Since that time, congressional appropriations have not only failed to account for rising costs, but have been steadily backsliding resulting in the loss of 324 employees since 2011, or 9 percent of all staff. Yet the Refuge System actually pays for itself several times over by generating \$4.87 in economic activity for every \$1 appropriated by Congress to run the Refuge System.

The North American Wetlands Conservation Act is a cooperative, non-regulatory, incentive-based program that has shown unprecedented success in restoring wetlands, waterfowl, and other migratory bird populations. This program has remained drastically underfunded despite its demonstrated effectiveness. We support the President's request of \$34.1 million and encourage Congress to match this request for fiscal year 2016.

The Neotropical Migratory Bird Conservation Act Grants Program supports partnership programs to conserve birds in the U.S., Latin America and the Caribbean, where approximately 5 billion birds representing 341 species spend their winters, including some of the most endangered birds in North America. This program should be funded at or above \$6.5 million to achieve maximum success. However, recognizing the current fiscal climate, The Wildlife Society recommends Congress increase funding for the Neotropical Migratory Bird Conservation Act to \$4.16 million in fiscal year 2016.

For fiscal year 2016, the FWS proposes to restructure the budget for all endangered species work within the Ecological Services Program. Endangered species recovery efforts can ultimately lead to delisting, resulting in significant benefits to species through State management efforts. FWS, with the help of Federal and State agency partners, has been working to implement new strategies to increase the efficiency and effectiveness of this program and to reduce the regulatory burden on private landowners and industry partners. To support these actions and the increased emphasis on consultation and recovery, we recommend Congress match the President's request and provide \$38 million for Listing, \$108.9 million for Planning and Consultation, and \$126.3 million for Conservation and Restoration in fiscal year 2016.

The voluntary Partners for Fish and Wildlife Program (PFW) provides financial and technical assistance to private landowners across the country to restore degraded habitat and to safeguard against potential regulatory burdens associated with endangered species listings. With over two-thirds of our Nation's lands held as private property, and up to 90 percent of some habitats lost, private lands play a key role in preserving our ecosystem. For example, working under a new MOU with the Natural Resource Conservation Service, PFW has been critical in engaging private landowners to restore and maintain habitat for the Greater Sage-Grouse in States like Idaho and Nevada; potentially removing the need for a future listing. We urge Congress to provide \$60 million in support of the PFW Program in fiscal year 2016 in order to allow landowners to help contribute to land and wildlife preservation.

Through its International Affairs office, FWS works with many partners and countries in the implementation of international treaties, conventions, and projects for the conservation of wildlife species and their habitats. International trade, import, and transportation of wildlife species can have a huge impact on America's security, economy, and environment. Careful regulation of imports and implementation of international policies is an important task. We ask Congress to match the President's request of \$14.7 million in support of FWS International Affairs in fiscal year 2016.

## BUREAU OF LAND MANAGEMENT

BLM lands support over 3,000 species of wildlife, more than 300 federally proposed or listed species, and more than 1,300 sensitive plant species. Historically, the Wildlife and Fisheries Management (WFM) and the Threatened and Endangered Species Management (TESM) programs have been forced to pay for the compliance activities of BLM's energy, grazing, and other non-wildlife related programs, eroding both their ability to conduct proactive conservation activities and their efforts to recover listed species. Given the significant underfunding of the BLM's wildlife programs, combined with the tremendous expansion of energy development across the BLM landscape, we recommend Congress appropriate \$89.4 million for BLM Wildlife Management in fiscal year 2016. This will allow BLM to maintain and restore wildlife and habitat by monitoring habitat conditions, conducting inventories of wildlife resources, and developing cooperative management plans. We support the proposed increase of \$37 million for sage-grouse conservation efforts; this kind of broad-scale, landscape based conservation is exactly what is needed to manage and conserve sage-grouse across their range.

Increased funding is also needed for the Threatened and Endangered Species Management Program, to allow BLM to meet its responsibilities in endangered species recovery plans. BLM's March 2001 Report to Congress called for a doubling of the Threatened and Endangered Species budget to \$48 million and an additional 70 staff positions over 5 years. This goal has yet to be met. In light of this, we strongly encourage Congress to increase overall funding for BLM's endangered species program to \$48 million in fiscal year 2016.

The Wildlife Society, part of the National Horse and Burro Rangeland Management Coalition, appreciates the commitment of BLM to addressing the problems associated with Wild Horse and Burro Management. We support the requested increase of \$3 million for implementation of the National Academy of Sciences recommendations and findings and continued research and development on contraception and population control. However, with more than 22,500 horses above BLM's stated Appropriate Management Levels on the range and nearly 50,000 horses in off-site long- and short-term holding facilities The Wildlife Society is concerned about BLM's emphasis on fertility control alone. The current language limiting the use of humane euthanasia for unwanted or unadoptable horses should be removed to allow BLM to use all necessary management tools to bring populations of on- and off-range wild horses and burros within manageable range and additional funding should be requested to correct the habitat damage that has occurred due to overpopulation of these animals. The requested \$80.6 million should be provided to BLM if they continue removing excess horses from the range at a reasonable rate and focus additional resources on habitat restoration.

## U.S. GEOLOGICAL SURVEY

The basic, objective, and interdisciplinary scientific research that is supported by the USGS is necessary for understanding the complex environmental issues facing our Nation today. This science will play an essential role in the decisionmaking processes of natural resource managers, and it will help protect our water supply and conserve endangered species. More investment is needed to strengthen USGS partnerships, improve monitoring, produce high-quality geospatial data, and deliver the best science to address critical environmental and societal challenges. The Wildlife Society supports funding of at least \$1.2 billion for USGS in fiscal year 2016.

The Ecosystems Program of USGS contains programmatic resources for fisheries, wildlife, environments, invasive species and the Cooperative Fish and Wildlife Research Unit. The Ecosystems program strives to maximize research and support for comprehensive biological and ecosystem based needs. The Wildlife Society supports the President's request of \$176 million for USGS's Ecosystems Department in fiscal year 2016. Within Ecosystems, we support the request of \$46.7 million for the Wildlife Program.

The Cooperative Fish and Wildlife Research Units (CFWRUs) are managed under the Ecosystems Department and conduct research on renewable natural resource questions, participate in the education of graduate students, provide technical assistance and consultation on natural resource issues, and provide continuing education for natural resource professionals. In fiscal year 2001, Congress fully funded the CFWRUs, allowing unit productivity to rise to record levels. Since then, budgetary shortfalls have continued to cause an erosion of available funds, resulting in a current staffing vacancy of nearly one quarter of the professional workforce. In order to fill current vacancies, restore seriously eroded operational funds for each CFWRU, and enhance national program coordination, the fiscal year 2016 budget for the CFWRUs should be increased to \$20 million, the level requested by the

President. This would restore necessary capacity in the CFWRU program and allow it to meet the Nation's research and training needs.

The National Climate Change and Wildlife Science Center plays a pivotal role in addressing the impacts of climate change on fish and wildlife by providing essential scientific support. In order for this role to be fully realized, we recommend that Congress fund the National Climate Change and Wildlife Science Center at the requested \$37.4 million in fiscal year 2016.

#### U.S. FOREST SERVICE

Our national forests and grasslands are essential to the conservation of our Nation's wildlife and habitat, and are home to about 425 threatened and endangered species, and another 3,250 at-risk species. In fiscal year 2011, the Forest Service combined several programs and budgets, including Vegetation and Watershed Management, Wildlife and Fisheries Habitat Management, and Forest Products into a single Integrated Resource Restoration activity budget. Although we have some reservations about this merger, because it makes accountability to stakeholders and Congress more difficult, we urge Congress to support the request of \$822.1 million for the Integrated Resource Restoration program in fiscal year 2016.

Integral to management of our natural resources is a deep understanding of the biological and geological forces that shape the land and its wildlife and plant communities. The research being done by the USFS is at the forefront of science, and essential to improving the health of our Nation's forests and grasslands. Furthermore, it will play a key role in developing strategies for mitigating the effects of climate change. We urge Congress to match the President's request of \$292 million in fiscal year 2016 for Forest and Rangelands to support this high-quality research.

#### WILDFIRE DISASTER FUNDING ACT

We appreciate the subcommittee's support of the Wildfire Disaster Funding Act (H.R. 167) and request it be included in this bill. It would provide the structure to fund a portion of the USDA Forest Service (USFS) and Department of the Interior (DOI) wildfire suppression costs through a budget cap adjustment under the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, and provide the USFS and DOI with a funding structure similar to that used by other agencies who respond to natural disaster emergencies.

Thank you for considering the recommendations of wildlife professionals.